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 No. 21] NEW DELHI, SATURDAY, MAY 23, 1970/JYAISTHA 2, 1892

इस भाग में भिन्न पृष्ठ संख्या दी जाती है जिससे कि यह अलग संकलन के रूप में रखा जा सके।

Separate paging is given to this Part in order that it may be filed as a separate compilation.

भाग II—खण्ड 3—उपखण्ड (ii)

PART II—Section 3—Sub-section (ii)

(रक्षा मंत्रालय को छोड़कर) भारत सरकार के मंत्रालयों और (सब क्षेत्र प्रशासन को छोड़कर) केन्द्रीय प्राधिकरणों द्वारा जारी किये गए विधिक आदेश और अधिसूचनाएं।

Statutory orders and notifications issued by the Ministries of the Government of India (other than the Ministry of Defence) and by Central Authorities (other than the Administration of Union Territories).

ELECTION COMMISSION OF INDIA

New Delhi, the 5th May 1970

S.O. 1755.—In pursuance of sub-section (2) of section 116C of the Representation of the People Act, 1951, the Election Commission hereby publishes the Order, pronounced on the 13th March, 1970, by the Supreme Court of India in Civil Appeal No. 1945 of 1969 from the judgment and order dated 23rd April, 1969, of the High Court of judicature at Allahabad in Election Petition No. 29 of 1967.

IN THE SUPREME COURT OF INDIA

CIVIL APPELLATE JURISDICTION

CIVIL APPEAL NO. 1945 OF 1969

Kanhalya Lal Balmiki.

Appellant,

Vs.

Ram Charan and Ors.

Respondents.

ORDER

The appeal is dismissed for non prosecution.

(Sd.) M. Hidayatullah, C.J.

(Sd.) A. N. RAY, J.

(Sd.) I. D. DUA, J.

Dated March 13, 1970.

[No. 82/29 of 1967/UP/68(ALLD).]

ORDERS

New Delhi, the 22nd April 1970

S.O. 1756.—Whereas the Election Commission is satisfied that Shri Mofiza of Village Narayanpur, P.O. Amalghari, District West Dinajpur a contesting candidate for the mid-term election held in February, 1969, to the West Bengal Legislative Assembly from 26-Goalpokhar Constituency, has failed to lodge an account of his election expenses in the manner required by the Representation of the People Act, 1951, and the Rules made thereunder;

And whereas the said candidate, even after due notices, has not given any reason or explanation for the failure and the Election Commission is satisfied that he has no good reason or justification for the failure;

Now, therefore, in pursuance of section 10A of the said Act, the Election Commission hereby declared the said Shri Mofiza to be disqualified for being chosen as, and for being, a member of either House of Parliament or the Legislative Assembly or Legislative Council of a State for a period of three years from the date of this order.

[No. WB-LA/26/69(10).]

भारत निर्वाचन आयोग

आदेश

नई दिल्ली, 22 अप्रैल 1970

एस० ओ० 1756.—यतः निर्वाचन आयोग का समाधान हो गया है कि फरवरी 1969 में हुए पश्चिमी बंगाल विधान सभा के लिए मध्यावधि निर्वाचन के लिए 26-गोलपोखर निर्वाचन-क्षेत्र से चुनाव लड़ने वाले उम्मीदवार श्री मोफिजा गांव नारायनपुर डा० अमलघारी जिला पश्चिमी दिनाजपुर लोक प्रतिनिधित्व अधिनियम 1951 तथा तदधीन बनाए गए नियमों द्वारा अपेक्षित रीति से अपने निर्वाचन व्ययों का लेखा दाखिल करने में असफल रहे हैं ;

आर० यतः उक्त उम्मीदवार न उस सम्यक सूचना दिए जाने पर भी इस असफलता के लिए कोई कारण अथवा स्पष्टीकरण नहीं दिया है और निर्वाचन आयोग का यह भी समाधान हो गया है कि उसके पास इस असफलता के लिए कोई पर्याप्त कारण या न्यायौचित्य नहीं है;

अतः, अब, उक्त अधिनियम की धारा 10-क के अनुसरण में निर्वाचन आयोग एतद्वारा उक्त श्री मोफिजा को संसद के किसी भी सदन के या किसी राज्य की विधान सभा अथवा विधान परिषद के सदस्य चुने जाने और होने के लिए, इस आदेश की तारीख से तीन वर्ष की कालावधि के लिए निरहित घोषित करता है ।

[सं० प० ब०-वि० सं०/26/69(10)]

S.O. 1757.—Whereas the Election Commission is satisfied that Shri Teja Ram Bhagat, Station Road, P.O. Mal, District Jalpaiguri, a contesting candidate for the mid-term election held in February, 1969, to the West Bengal Legislative Assembly from Mal Constituency, has failed to lodge an account of his election expenses as required by the Representation of the People Act, 1951, and the Rules made thereunder;

And whereas the said candidate, even after due notices, has not given any reason or explanation for the failure and the Election Commission is satisfied that he has no good reason or justification for the failure;

Now, therefore, in pursuance of section 10A of the said Act, the Election Commission hereby declares the said Shri Teja Ram Bhagat to be disqualified for being chosen as, and for being, a member of either House of Parliament or of the Legislative Assembly or Legislative Council of a State for a period of three years from the date of this order.

[No. WB-LA/17/69(13).]

By Order,
A. N. SEN, Secy.

एस० ओ० 1757.—यतः निर्वाचन आयोग का समाधान हो गया है कि फरवरी 1970 में हुए पश्चिमी बंगाल विधान सभा के लिए मध्यावधि निर्वाचन के लिए भाल निर्वाचन-क्षेत्र से चुनाव लड़ने वाले उम्मीदवार श्री तेजा राम भगत, स्टेशन रोड डा० माल, जिला जलपाईगुड़ी लोक प्रतिनिधित्व अधिनियम, 1951 तथा तद्घीन बनाए गए नियमों द्वारा अपेक्षित अपने निर्वाचन व्ययों का कोई भी लेखा दाखिल करने में असफल रहे हैं ;

और, यतः उक्त उम्मीदवार ने उसे सम्यक सूचना दिए जाने पर भी इस असफलता के लिए कोई कारण अथवा स्पष्टीकरण नहीं दिया है तथा निर्वाचन आयोग का यह भी समाधान हो गया है कि उसके पास इस असफलता के लिए कोई पर्याप्त कारण या न्यायोचित्य नहीं है ;

अतः, अब, उक्त अधिनियम की धारा 10-क के अनुसरण में निर्वाचन आयोग एतद्वारा उक्त श्री तेजा राम भगत को संसद के या किसी राज्य की विधान सभा अथवा विधान परिषद् के सदस्य चुने जाने और होने के लिए, इस आदेश की तारीख से तीन वर्ष की कालावधि के लिए निरहित घोषित करता है ।

[सं० प० बं०-वि०स०/17/69(13)]

आदेश से,

ए० एन० सैन, सचिव ।

ORDER

New Delhi, the 20th April 1970

S.O. 1758.—Whereas the Election Commission is satisfied that Shri Braj Nandan Singh, R/O Village Mokhtiarpur, P.O. Mahnar, District Muzaffarpur (Bihar), a contesting candidate for the mid-term election to the Bihar Legislative Assembly held in 1969, from 50-Jandaha Assembly Constituency, has failed to lodge an account of his election expenses as required by the Representation of the People Act, 1951, and the Rules made thereunder;

And whereas the said candidate, even after due notice, has not given any reason or explanation for the failure and the Election Commission is satisfied that he has no good reason or justification for such failure;

Now, therefore, in pursuance of section 10A of the said Act, the Election Commission hereby declares the said Shri Braj Nandan Singh to be disqualified for being chosen as and for being a member of either House of Parliament or of the Legislative Assembly or Legislative Council of a State for a period of three years from the date of this order.

[No. BR-LA/50/69(85).]

By Order,

ROSHAN LAL, Secy.

आदेश

नई दिल्ली, 20 अप्रैल 1970

एस० ओ० 1758.—यतः निर्वाचन आयोग का समाधान हो गया है कि बिहार विधान सभा के लिए 1969 में हुए मध्यावधि निर्वाचन के लिए 50-जनवाहा निर्वाचन-क्षेत्र से चुनाव लड़ने वाले उम्मीदवार श्री ब्रज नन्दन सिंह निवासी ग्राम मोखतारपुर, पो० महनार, जिला मुजफ्फरपुर लोक-प्रतिनिधित्व अधिनियम 1951 तथा तद्घीन बनाए गए नियमों द्वारा अपेक्षित अपने निर्वाचन व्ययों का लेखा दाखिल करने में असफल रहे हैं ;

और यतः उक्त उम्मीदवार ने, उसे सूचना दिये जाने पर भी अपनी इस असफलता के लिए कोई कारण अथवा स्पष्टीकरण नहीं दिया है; तथा निर्वाचन आयोग का यह भी समाधान हो गया है कि उसके पास इस असफलता के लिए कोई पर्याप्त कारण या न्यायौचित्य नहीं है।

पुनः, अब, उक्त अधिनियम की धारा 10-क के प्रवृत्त में निर्वाचन आयोग एतद्वारा उक्त श्री ब्रजनन्दन सिंह को संसद के किसी भी सदन के या किसी राज्य की विधान सभा अथवा विधान परिषद् के सदस्य चुने जाने और होने के लिए इस आदेश की तारीख से तीन वर्ष की कालावधि के लिए निरहित घोषित करता है।

[सं० बिहार-वि० सं०/50/69/85]

आदेश में,

रोशन लाल, सचिव।

MINISTRY OF HOME AFFAIRS

New Delhi, the 7th May 1970

S.O. 1759.—In exercise of the powers conferred by sub-section (i) of section 492 of the Code of Criminal procedure, 1898 (5 of 1898), the Central Government hereby appoints Shri K. Kunhirama Menon Advocate, Calicut, as a Public Prosecutor for the conduct of prosecution in case RC No. 14/E/67-Madras against M/s Indian Engineering and Trading Company, Madras, and others, in the original appellate and revisional courts.

[No. 225/71/69-AVD. II]

B. C. VANJANI, Under Secy.

गृह मंत्रालय

नई दिल्ली, 7 मई, 1970

क्र० प्र० 1759.—केन्द्रीय सरकार दण्ड प्रक्रिया संहिता, 1898 (1898 का 5) की धारा 492 की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए कालीकट के अधिवक्ता श्री के० कुन्हीरामा मेनन को मूल, अपीलिय तथा पुनरीक्षण न्यायालयों में मैजिस्ट्रेट इन्चार्ज इन्जीनियरिंग एण्ड ट्रेडिंग कम्पनी मद्रास तथा अन्य के विरुद्ध मुकद्दमा आर० सी० संख्या 14/ई०/67—मद्रास का संचालन करने के लिए लोक अभियोजक के रूप में एतद्वारा नियुक्ति करती है।

[संख्या 225/71/69-प्र०सं०प्र०-2]

बी० सी० बन्जानी, अवसर सचिव।

MINISTRY OF FINANCE

(Department of Banking)

New Delhi, the 1st May 1970

S.O. 1760.—In pursuance of clause (a) of sub-section (1) and sub-section (4) of section 8 of the Reserve Bank of India Act, 1934 (2 of 1934), the Central Government hereby appoints Shri S. Jagannathan as the Governor of the Reserve Bank of India for a term of five years with effect from the forenoon of June 16, 1970.

[No. F. 3(21) BC/70.]

वित्त मंत्रालय

(बैंकिंग विभाग)

नई दिल्ली, 1 मई, 1970

एस०ओ० 1760.—भारतीय रिजर्व बैंक अधिनियम, 1934 (1934 के दूसरे) की धारा 8 की उपधारा (1) और उपधारा (4) के खण्ड (क) के अनुसार केन्द्रीय सरकार एतद्वारा श्री एम० जगन्नाथन को 16 जून, 1970 के पूर्वाह्न से लेकर 5 वर्ष के लिए भारतीय रिजर्व बैंक का गवर्नर नियुक्त करती है।

[सं 3(2)बी०सी०/70]

S.O. 1761.—In pursuance of clause (a) of sub-section (1) and sub-section (4) of section 8 of the Reserve Bank of India Act, 1934 (2 of 1934), the Central Government hereby appoints Shri B. N. Adarkar as the Governor of the Reserve Bank of India from the date Shri L. K. Jha relinquishes charge as Governor, to the afternoon of June 15, 1970.

[No. F.3(21)BC/70.]

क्र० अ० 1761.—भारतीय रिजर्व बैंक अधिनियम 1934 (1934 के दूसरे) की धारा 8 की उपधारा (1) और उपधारा (4) के खण्ड (क) के अनुसार केन्द्रीय सरकार एतद्वारा श्री बी० एन० अदार्कर को उस तारीख से, जिस तारीख को श्री एल० के० झा गवर्नर का कार्यभार छोड़ेंगे, 15 जून, 1970 के अपराह्न तक भारतीय रिजर्व बैंक का गवर्नर नियुक्त करती है।

[संख्या एफ० 3(21) बी० सी०/70]

New Delhi, the 7th May 1970

S.O. 1762.—In exercise of the powers conferred by sub-section (2) of section 1 of the Deposit Insurance Corporation (Amendment) Act, 1968 (58 of 1968), the Central Government hereby appoints the 7th day of May, 1970, as the day on which clause (i) of section 5 of the said Act shall come into force.

[No. F. 10/5/70-SB.]

S. S. SHIRALKAR, Addl. Secy.

नई दिल्ली, 7 मई, 1970

ए०ओ० 1762.—जमा बीमा निगम संशोधन अधिनियम, 1968 (1969 का 56 वां) की धारा 1 की उपधारा (2) द्वारा प्रदत्त अधिकारों का प्रयोग करते हुए केन्द्रीय सरकार एतद्वारा यह घोषणा करती है कि 7 मई, 1970 से उक्त अधिनियम की धारा 5 का खण्ड (1) लागू हो जाएगा।

[सं० एफ० 10/5/70-एस० बी०]

एस० एस० शिरालकर,

अतिरिक्त सचिव।

(Department of Banking)

New Delhi, the 4th May 1970

S.O. 1763.—In exercise of the powers conferred by section 53 of the Banking Regulation Act, 1949 (10 of 1949), the Central Government, on the recommendation of the Reserve Bank of India, hereby declares that the provisions of section

9 of the said Act shall not apply, till the 15th March, 1971, to the Bari Doab Bank Ltd., Hoshiarpur, in respect of the landed properties held by it at Premgarh, Hoshiarpur District, Punjab and at Kotwal, Ferozepur District, Punjab.

[No. F. 15(6)-BC/70.]

K. YESURATNAM, Under Secy.

(बैंकिंग विभाग)

नई दिल्ली, 4 मई, 1970

एस०ओ० 1763.—बैंकिंग विनियमन अधिनियम, 1949 (1949 के दसवें) की धारा 53 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार, भारतीय रिजर्व बैंक की सिफारिश पर, एतद्द्वारा यह घोषणा करती है कि उक्त अधिनियम की धारा 9 के उपबन्ध होशियारपुर के बारी दोआब बैंक लि० द्वारा प्रेमगढ़, जिला होशियारपुर, पंजाब और कोतवाल, जिला फिरोजपुर, पंजाब में, धारित भू-सम्पत्तियों के संबंध में उस बैंक पर 15 मार्च, 1971 तक लागू नहीं होंगे।

[सं० एफ० 15(6)-बी०सी०/70]

के० येसुरत्नम, अनुसचिव।

(Department of Banking)

New Delhi, the 12th May 1970

S.O. 1764.—In pursuance of clause (a) of Sub-Section (1) of Section 10 of the Industrial Finance Corporation Act, 1948 (15 of 1948), the Central Government hereby appoints Shri C. D. Khanna, General Manager, Industrial Finance Corporation of India, as the Chairman of the Industrial Finance Corporation of India with effect from the date he takes over the charge from Shri N. D. Nangla.

[No. F.2(7)-Corp/70.]

M. K. VENKATACHALAM, Jt Secy.

(बैंकिंग विभाग)

नई दिल्ली, 12 मई, 1970

का० आ० 1764.—औद्योगिक वित्त निगम अधिनियम, 1948 (1948 के 15वें) की धारा 10 की उपधारा (1) के उपखण्ड (क) के अनुसार, केन्द्रीय सरकार एतद्द्वारा भारतीय औद्योगिक वित्त निगम के महाप्रबन्धक श्री सी० डी० खन्ना को श्री एन० डी० नांगिया से कार्यभार सम्भालने की तारीख से भारतीय औद्योगिक वित्त नियम का अध्यक्ष नियुक्त करती है।

[सं० एफ० 2(7)-कॉर्पोरेशन/70]

एम० के० वेंकटचलम, संयुक्त-सचिव

(Department of Revenue and Insurance)

INCOME-TAX

New Delhi, the 4th May 1970

S.O. 1765.—In exercise of the powers conferred by sub-clause (iii) of clause (44) of Section 2 of the Income-tax Act, 1961 (43 of 1961), and in supersession of all previous notifications on the subject, the Central Government hereby

authorises Shri A. B. Chakravarti who is a Gazetted Officer of the Central Government to exercise the powers of Tax Recovery Officer under the said Act.

2. This Notification shall come into force with immediate effect.

[No. 63(F. No. 404/95/70-ITCC).]

R. D. SAXENA, Dy. Secy.

CENTRAL BOARD OF DIRECT TAXES

INCOME-TAX

New Delhi, the 27th April 1970

S.O. 1766.—In exercise of the powers conferred by sub-section (1) of Section 121 of the Income-tax Act, 1961 (43 of 1961), the Central Board of Direct Taxes hereby makes the following amendments to the Schedule appended to its Notification No. 20 (F. No. 55/1/62-IT), dated the 30th April, 1963 published as S.O. 1293 on pages 1454-1457 of the Gazette of India Part II Section 3 sub-section (ii) dated the 11th May, 1963 as amended from time to time:

I. Against S. No. 9, Madras-I, under Column 3 of the Schedule appended thereto:

- (i) The existing entries against items 2 and 3 shall be *deleted*.
- (ii) The existing items 4 to 21 shall be *renumbered* 2 to 19.
- (iii) The following entries shall be *added*:

- 20. Dindigul
- 21. Karaikudi
- 22. Pudukottai

II. Against S. No. 9-B, Madras-II, under Column 3 of the Schedule appended thereto:

- (i) The existing entries against items 10, 11 and 13 shall be *deleted*.
- (ii) The existing items 12 and from 14 to 26 shall be *renumbered* 10 to 23.
- (iii) The following entries shall be *added*:

- 24. City Circle III, Madras
- 25. City Circle IV, Madras.

This notification shall come into force on the 1st May, 1970.

[No. 58 F. No. 187/11/70/IT(AI).]

New Delhi, the 29th April, 1970

S.O. 1767.—In exercise of the powers conferred by sub-section (1) of Section 121 of the Income-tax Act, 1961 (43 of 1961), the Central Board of Direct Taxes hereby makes the following amendments to the Schedule appended to its Notification No. 20 (F. No. 55/1/62-IT), dated the 30th April, 1963 published as S.O. 1293 on pages 1454-1457 of the Gazette of India Part II Section 3 sub-section (ii) dated the 11th May, 1963 as amended from time to time:

Against S. No. 9-B, Madras-II, under Column 3 of the Schedule appended thereto, the following shall be *added*:

- 26. Special Investigation Circle II, Madras.

This notification shall come into force on the 1st May, 1970.

[No. 59 F. No. 187/11/70-IT(AI).]

L. N. GUPTA, Under Secy.

OFFICE OF THE COLLECTOR OF CENTRAL EXCISE TAX, POONA

Poona, the 29th April 1970

S.O. 1768.—In pursuance of sub-rule 2(ii) of rule 173-G of the Central Excise Rules, 1944 I permit such of the manufacturers of soap as have issued more than 3000 consignments in the preceding calendar year and are entitled to make a

consolidated debit entry in the P.L.A. at the end of the day in terms of proviso (ii) to rule 173-G(i), not to fill up the column "total duty paid" in form G.P.1.

Such manufacturers shall show only the approved rate of assessable value per unit quantity instead of total value in the column for showing "Total assessable value or tariff value" in the said form.

The above permission is subject to the following condition:—

- (1) The manufacturer desiring to avail of this concession shall give an undertaking to prepare a daily re-capitulation showing for each gate pass. The number of packages and the quantity of different varieties of goods and the daily totals for each such variety. The value of all varieties assessable at the same rate should then be calculated and totalled for arriving at the total amount of duty.
- (2) The recapitulation mentioned above shall be completed at the end of the same day and a consolidated debit entry made in the P.L.A. for the total amount of duty at the end of the day.

[No. C.E.R. 6/70.]

D. N. LAL, Collector.

OFFICE OF THE COMMISSIONER OF INCOME-TAX, POONA

ORDERS

Poona, the 28th March 1970

S. O. 1769.—In pursuance of sub-section (1) of Sec. 124 of the Income-tax Act, 1961 (43 of 1961) and in supersession of all previous orders on this subject, the Commissioner of Income-tax, Poona hereby directs that the Income-tax Officers specified in Column 2 of the Schedule appended to this order shall perform all the functions of the Income-tax Officer in respect of the areas, persons, classes of persons, incomes, classes of incomes, cases or classes of cases mentioned in Column 4 thereof except in respect of such cases as have been or may hereafter be assigned specifically to any other Income-tax Officer.

SCHEDULE

District or Circle	Designation of the Income-tax Officer	Headquarters	Jurisdiction
1	2	3	4
Satara	Income-tax Officer, A-Ward, Satara.	Satara	<p>I. All persons (other than Companies, Co-op. Societies, persons whose annual salary during the previous year exceeded the maximum amount not chargeable to Income-tax and persons whose total income is made up of income wholly taxed at source or dividends or both) whose place of assessment is in Karad Taluka of Satara District.</p> <p>II. All partners of the firms assessed by the I.T.O., A-Ward, Satara, irrespective of the amount of total income of such persons if they are assessable in Satara District.</p> <p>III. All Limited Companies and Co-op. Societies in Satara District.</p> <p>IV. All Directors of the limited companies and Co-op. Societies referred to above and whose place of assessment is in Satara District.</p> <p>V. All new cases arising out of Survey work or otherwise in Karad Taluka.</p>

1	2	3	4
Satara	Income-tax Satara Officer, B- Ward, Satara.	I. All persons (other than companies co-operative societies their Directors, persons whose annual salary during the previous year exceeded the maximum amount not chargeable to Income-tax and persons whose total income is made up of income wholly taxed at source or dividends or both) whose place of assessment is in (1) Satara Taluka. (2) Koregaon Taluka (3) Wai Taluka. (4) Mahabaleshwar Mahal of Satara District. II. All partners of the firms assessed by the I.T.O., B-Ward, Satara, irrespective of the amount of total income of such persons if they are assessable in Satara District. III. All persons in Satara Distt. whose total income is made up of income wholly taxed at source or dividends or both i.e. refundees. IV. All new cases arising out of Survey work or otherwise in Satara Koregaon and Wai Talukas and Mahabaleshwar Mahal of Satara District.	Satara
	Income-tax Satara Officer, C- Ward, Satara.	I. All persons (other than companies Co-op. Societies, their Directors, and persons whose annual salary during the previous year exceeded the maximum amount not chargeable to income-tax & persons whose total income is made up of income wholly taxed at source or dividends or both) whose place of assessment is in (1) Phaltan Taluka. (2) Khatav Taluka. (3) Patan Taluka. (4) Man Taluka. (5) Jaoli Taluka. (6) Khandala Mahal of Satara District. II. All partners of the firms assessed by the I.T.O. C-Ward, Satara, irrespective of total the income of such persons if they are assessable in Satara District. III. All persons in Satara Distt. whose annual salary during the previous year exceeded the maximum amount not chargeable to Income-tax. IV. All new cases arising out of Survey work or otherwise in Phaltan, Khatav, Patan, Man, and Jaoli Talukas & Khandala Mahal of Satara District.	

This Order shall take effect from 1-4-1970.

[No. 141-Satara/69-70/(Tech.)]

Poona, the 30th April, 1970

S.O. 1770.—In partial modification of this Office Order of even number dated 28th March 1970 under Sub-Section (1) of Section 124 read with sub-section

(2) of Section 124 of Income-tax Act, 1961 dated 28th March, 1970, I, the Commissioner of Income-tax, Poona, hereby direct that in line two of the above Order after the words:—

“I, the Commissioner of Income-tax, Poona, hereby direct that” the words “The Income-tax Officer, Recovery Circle-I, Thana, shall and” shall be inserted and shall be deemed to have been inserted from 1st April, 1970.

[No. 141-Thana/69-70/(Tech.)]

A. BALASUBRAMANIAN,
Commissioner of Income-tax, Poona.

OFFICE OF THE COLLECTOR OF CENTRAL EXCISE, SOMAJIGUDA, HYDERABAD-4

CENTRAL EXCISE

Hyderabad, the 5th May 1970

S.O. 1771.—In exercise of the powers conferred by rule 5 of the Central Excise Rules, 1944, I authorise the officers not below the rank of an Assistant Collector of Central Excise in the Hyderabad Central Excise Collectorate to exercise within their respective jurisdictions the powers of the Collector under rule 206(3) of Central Excise Rules, 1944 in regard to release of conveyances only, seized for violation of the Central Excise Rules.

[No. 3/1970-V-TOBACCO]

M. L. ROUTH,
Collector of Central Excise.

MINISTRY OF EDUCATION & YOUTH SERVICES

New Delhi, the 6th May 1970

S.O. 1772.—In exercise of the powers conferred by sub-section (1) of section 8 of the Hindi Sahitya Sammelan Act, 1962 (13 of 1962), the Central Government hereby appoints Professor A. Chandrahasan as a member of the first Governing Body of the Sammelan in the vacancy caused by the resignation of Shri Kamla Kant Verma and makes the following further amendment in the notification of the Government of India in the Ministry of Education No. S.O. 1758 dated the 2nd June, 1962, namely:—

In the said notification, under the heading ‘(d) other Eminent Persons’, for item (vi) and the entry relating thereto, the following shall be substituted, namely:—

“(vi) Professor A. Chandrahasan, Gokulam, Ravipuram Road, Ernakulam, Cochin-16.”

[No. F 30-13/66 H]

K. D. BHARGAVA, Deputy Secy.

ज्ञेता एवं पुष्क सेश मंत्रालय

नई दिल्ली, 6 मई, 1970

सं० ६१० प्रा० 1772.—हिन्दी साहित्य सम्मेलन अधिनियम, 1962 (1962 का 13) की धारा 8 की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार एतद्वारा प्रोफेसर ए० चन्द्रहासन को, श्री कमला कान्त वर्मा के पदत्याग से हुई रिक्ति में, सम्मेलन के प्रथम शासी निकाय

के सदस्य के रूप में नियुक्त करती है और भारत सरकार के शिक्षा मंत्रालय की अधिसूचना सं० का० आ० 1758 तारीख 2 जून, 1962 में और आगे निम्नलिखित संशोधन करती है, अर्थात् :—

उक्त अधिसूचना में '(घ) अन्य प्रमुख व्यक्ति' शीर्षक के नीचे, मद (6) और उससे संबन्धित प्रविष्टि के स्थान पर निम्नलिखित मद प्रतिस्थापित की जाएगी, अर्थात् :—

“(6) प्रोफेसर ए० ई० चन्द्रहासन,
गोकुलम,
रविपुरम रोड,
एरणाकुलम,
कोचीन-16”

[सं० फा० 30-15/66 एच०]

कृष्ण दयाल भार्गव, उप सचिव ।

MINISTRY OF HEALTH AND FAMILY PLANNING AND WORKS, HOUSING AND URBAN DEVELOPMENT

(Department of Health)

New Delhi, the 1st May 1970

S.O. 1773.—Whereas in pursuance of the provisions of clause (b) of sub-section (1) of section 3 of the Indian Medical Council Act, 1956 (102 of 1956), Dr. K. Krishna Murthy, MBBS, MS, FRCS, Head of the Department of Surgery, Bangalore Medical College, Bangalore, to be a member of the Medical Council of India with effect from the 27th March, 1969.

Now, therefore, in pursuance of sub-section (1) of section 3 of the said Act, the Central Government hereby makes the following further amendment in the notification of the Government of India in the late Ministry of Health No. 5-13/59-MI, dated the 9th January, 1960, namely :—

In the said notification, under the heading “Elected under clause (b) of sub-section (1) of section 3”, after serial number 40 and the entry relating thereto, the following serial number and entry shall be inserted, namely :—

“41. Dr. K. Krishna Murthy MBBS, MS, FRCS; Head of the Department of Surgery, Bangalore Medical College, Bangalore-2”.

[No. F.4-10/69-MPT.]

ORDER

New Delhi, the 1st May 1970

S.O. 1774.—Whereas by the notification of the Government of India in the late Ministry of Health No. 5-14/58-MI, dated the 25th March, 1960, the Central Government has directed that the Medical qualification, “M.D.” granted by the Université Catholique de Louvain, Belgium shall be recognised medical qualification for the purpose of the Indian Medical Council Act, 1956 (102 of 1956);

And whereas Dr. Lydia Schellekens who possesses the said qualification is for the time being attached to the Lourdu Suhalayam Dispensary, Irudayakulam, Thirunelveli District for the purpose of charitable work.

Now, therefore, in pursuance of clause (c) of the proviso to sub-section (1) of section 14 of the said Act, the Central Government hereby specifies—

(i) a period of two years from the date of publication of this order in the official Gazette, or

(ii) the period during which Dr. Lydia Schellekens is attached to the said Lourdu Suhalayam Dispensary, Irudayakulam, Thirunelveli District

whichever is shorter, as the period to which the medical practice by the aforesaid doctor shall be limited.

[No. F.19-21/69-MPT.]

R. MURTHI, Under Secy.

MINISTRY OF IRRIGATION AND POWER

New Delhi, the 8th May 1970

S.O. 1775.—In exercise of the powers conferred by section 3 of the Electricity (Supply) Act, 1948 (54 of 1948), and in partial modification of the Notification No. EL.II.28(15)/67, dated the 28th November, 1969, the Central Government hereby appoint Shri K. A. Dave, Vice-Chairman, Central Water and Power Commission (Power Wing), as Chairman of the Central Electricity Authority *vice* Shri A.K. Ghose.

[No. EL.II.28(3)/70.]

A. F. COUTO, Director (FE&P).

सिचार्ड व बिजली संचालन

नई दिल्ली, 8 मई, 1970

एस० ओ० 1775:—बिजली (पूर्ति) अधिनियम 1948 (1948 का 54) की धारा 3 द्वारा प्रदत्त अधिकारों का प्रयोग करते हुए और अधिसूचना सं० बि० दो० 28(15)/67 दिनांक 28 नवम्बर, 1969 का आंशिक संशोधन करते हुए केन्द्रीय सरकार एतद्द्वारा श्री के० ए० दवे, उपाध्यक्ष, केन्द्रीय जल तथा विद्युत आयोग (विद्युत स्कन्ध) को श्री ए० के० घोष के स्थान पर केन्द्रीय बिजली प्राधिकरण के अध्यक्ष के रूप में नियुक्त करती है।

[सं० बि० दो-28(3)/70]

ए० एफ० कुटो, निदेशक।

MINISTRY OF INDUSTRIAL DEVELOPMENT, INTERNAL TRADE AND COMPANY AFFAIRS

(Department of Internal Trade)

TRADE MARKS

New Delhi, the 5th April 1970

S.O. 1776.—In pursuance of sub-rule (4) of rule 155 of the Trade and Merchandise Marks Rules, 1959, it is hereby notified that, in exercise of the powers conferred by sub-rule (3) of the said rule, the Central Government has removed the name of Shri R. P. Anand of Delhi, from the Register of Trade Marks Agents.

[No. 29(2)-IT/TM/70.]

P. SITARAMAN, Dy. Secy.

(Department of Industrial Development)

ORDER

New Delhi, the 16th May 1970

S.O. 1777.—In exercise of the powers conferred by clause (b) of sub-section (1) of section 18A of the Industries (Development and Regulation) Act, 1951 (85 of 1951), the Central Government hereby makes the following amendments in the Order of the Government of India in the Ministry of Industrial Development,

Internal Trade and Company Affairs (Department of Industrial Development)
No. S.O. 5052/18A/IDRA/69, dated the 26th December, 1969, namely:—

In the said Order,—

(i) in paragraph 1, for the words “and industrial” the words “an industrial” shall be substituted;

(ii) in paragraph 2,—

(a) Under the heading “Chairman”, for the entries against serial number 1, the following entries shall be substituted, namely:—

“Shri R. P. Khosla, Special Secretary to the Government of Uttar Pradesh, Industries Department”;

(b) under the heading “Members” for the entries against serial number 2, the following entries shall be substituted, namely:—

“Shri R. K. Kaul, District Magistrate, Meerut.”

[No. F.9(9)Lic.Pol./69.]

K. VENKATARAMAN, Dy. Secy.

(Department of Industrial Development)

(Indian Standards Institution)

New Delhi, the 1st May 1970

S. O. 1778.—In pursuance of sub-regulation (3) of regulation 7 of the Indian Standards Institution (Certification Marks) Regulations, 1955, the Indian Standards Institution hereby notifies that the marking fee(s) per unit for various products, details of which are given in the Schedule hereto annexed, have been determined and the fee(s) shall come into force with effect from the dates shown against each:

THE SCHEDULE




Sl. No.	Product/Class of Products	No. and Title of Relevant Indian Standard	Unit	Marking Fee per Unit	Date of Effect
1	2	3	4	5	6
1.	Valve fittings for compressed gas cylinders, L.P.G, oxygen carbon dioxide, nitrogen and acetylene.	IS: 3224—1966 Specification for valve fittings for compressed gas cylinders.	One Valve	5 paise	1 April 1970
2.	Soluble Coffee-chicory I powder	S : 3309—1965 Specification for soluble coffee-chicory powder.	One kg.	3 Paise per unit for the first 100,000 units and 1 paise per unit for the subsequent units.	1 May 1970

[No. CMD/13 : 10

S. O. 1779.—In pursuance of sub-rule (1) of rule 4 of the Indian Standards Institution (Certification Marks) Rules, 1955 the Indian Standards Institution hereby notifies that the Standard Mark (s), design(s) of which together with the verbal description of the design(s) and the title(s) of the relevant Indian Standard(s) are given in the Schedule hereto annexed, have been specified.

These Standard Mark(s) for the purpose of the Indian Standards Institution (Certification Marks) Act, 1952 and the Rules and Regulations framed thereunder, shall come into force with effect from the dates shown against each:

THE SCHEDULE

Sl. No.	Design of the Standard Mark	Product/Class of product	No. and Title of the Relevant Indian Standard	Verbal description of the Design of the Standard Mark	Date of Effect
1	2	3	4	5	6
1.		IS : 3224 Valve fittings for compressed gas cylinders, LPG, oxygen, carbon dioxide, nitrogen and acetylene	IS : 3224--1966 Specification for valve fittings for compressed gas cylinders.	The monogram of the Indian Standards Institution consisting of letters 'ISI', drawn in the exact style and relative proportions as indicated in Col. (2), the number, designation of the Indian Standard being superscribed on the top side of the monogram as indicated in the design.	1 April 1970
2.		IS : 3209 Soluble coffee-chicory powder.	IS : 3309--1965 Specification for soluble coffee-chicory powder.	The monogram of the Indian Standards Institution, consisting of letters 'ISI', drawn in the exact style and relative proportions as indicated in Col. (2), the number, designation of the Indian Standard being superscribed on the top side of the monogram as indicated in the design.	1 May 1970
3.		IS : 4436 Jute bagging for wrapping cotton bales.	IS : 4436--1967 Specification for Jute bagging for wrapping cotton bales.	The monogram of the Indian Standards Institution, consisting of letters 'ISI', drawn in the exact style and relative proportions as indicated in Col. (2), the number, designation of the Indian Standard being superscribed on the top side of the monogram as indicated in the design.	1 May 1970

[No. CMD/13 : 9]

A. K. GUPTA,
Deputy Director General.

MINISTRY OF INFORMATION AND BROADCASTING

New Delhi, the 20th April 1970

S.O. 1780.—In exercise of the powers conferred by Section 3 of the Cinematograph Act, 1952 (37 of 1952) read with proviso below sub-rule 2 of rule 4 of the Cinematograph (Censorship) Rules, 1958, the Central Government hereby appoints Shri M. V. Desai, an officer of the Senior Administrative Grade (Senior Scale) of the Central Information Service to act as Chairman, Central Board of Film Censors, with additional charge of the post of Adviser, Film Information and Publicity, with effect from the forenoon of April 10, 1970 to September 11, 1970 or till an officer is appointed to the post of Chairman, whichever is earlier, in accordance with the provisions of the rules.

[No. 2/45/67-F(C).1]

सूचना और प्रसारण मंत्रालय

नई दिल्ली, 20 अप्रैल, 1970

एस० ओ० 1780.—चलचित्र (सेंसर) नियमावली 1958 के नियम 4 के उपनियम 2 के नीचे परन्तुक के साथ पठित चलचित्र अधिनियम 1952 (1952 का 37) की धारा 3 द्वारा प्रदत्त अधिकारों का प्रयोग करते हुए केन्द्रीय सरकार ने एतद्द्वारा केन्द्रीय सूचना सेवा के सीनियर प्रशासनिक ग्रेड (सीनियर स्केल) के अधिकारी श्री एम०वी० देसाई को योजना, सूचना और प्रचार सलाहकार के पद के कार्य-भार के अतिरिक्त केन्द्रीय फिल्म सेंसर बोर्ड का अध्यक्ष नियुक्त किया है। यह नियुक्ति 10 अप्रैल 1970 के पूर्वाह्न से 11 सितम्बर 1970 तक या नियमों के उपबन्धों के अनुसार केन्द्रीय फिल्म सेंसर बोर्ड के अध्यक्ष के पद पर अधिकारी की नियुक्ति होने तक, इनमें जो पहले हो की गई है।

[सं० 2/45/67-एफ० (सी०)]

New Delhi, the 2nd May 1970

S.O. 1781.—In exercise of the powers conferred by rule 10 of the Cinematograph (Censorship) Rules, 1958, the Central Government is pleased to appoint Shri P. N. Kamath, Superintendent, as officiating Assistant Regional Officer, Central Board of Film Censors, Madras, with effect from 13th April 1970 to 30th June, 1970.

[No. F.2/36/70-F(C).1]

K. K. KHAN, Under Secy.

नई दिल्ली, 2 मई 1970

एस० ओ० 1781.—चलचित्र (सेन्सर) नियमावली 1958 के नियम 10 द्वारा प्रदत्त अधिकारों का प्रयोग करते हुए, केन्द्रीय सरकार ने अधीक्षक श्री पी० एन० कामथ को 13 अप्रैल, 1970 से 30 जून, 1970 तक केन्द्रीय फिल्म सेन्सर बोर्ड, मद्रास में स्थानापन्न सहायक प्रादेशिक अधिकारी नियुक्त किया है।

[फाइल संख्या 2/36/70-एफ० (सी०)]

के० के० खान, अवर सचिव।

MINISTRY OF PETROLEUM AND CHEMICALS AND MINES AND METALS

(Department of Petroleum)

New Delhi, the 28th April 1970

S.O. 1782.—Whereas by a notification of the Government of India in the Ministry of Petroleum and Chemicals S.O. No. 2172 and 2173 dated 13th June, 1968

published in the Gazette of India dated 22nd June, 1968 under sub-section (1) of section 3 of the Petroleum Pipelines (Acquisition of Right of User in Land) Act, 1962, the Central Government declared its intention to acquire the right of user in the land specified in the schedule appended to that notification for the purpose of laying pipelines.

And whereas, the Competent Authority has under sub-section (1) of section 6 of the said Act submitted report to the Government;

And whereas, the Central Government has after considering the said report decided to acquire the right of user in the lands specified in the schedule appended to this notification;

Now, therefore, in exercise of the powers conferred by sub-section (1) of section 6 of the said Act, the Central Government hereby declares that the right of user in the said land specified in the schedule appended to this notification is hereby acquired for laying the pipelines and in exercise of the powers conferred by sub-section (4) of that section the Central Government directs that the right of user in the said lands shall instead of vesting in the Central Government vest on the date of publication of this declaration in the Indian Oil Corporation Ltd. free from all encumbrances.

SCHEDULE

State—Uttar Pradesh	Tehsil—Chail	Distt.—Allahabad
Village	Survey Plot No.	Extent in B—B
Mecrapur	47	0—4—0
Usmanpur Maiku	156	1—6—10

[No. 28(5)/68-IOC/Lab. & Legis.]

S.O. 1783.—Whereas by a notification of the Government of India in the Ministry of Petroleum and Chemicals S.O. No. 4011, dated 4th November, 1968 published in the Gazette of India, dated 16th November, 1968 under sub-section (1) of section 3 of the Petroleum Pipelines (Acquisition of Right of User in Land) Act, 1962, the Central Government declared its intention to acquire the right of user in the land specified in the schedule appended to that notification for the purpose of laying pipelines.

And whereas, the Competent Authority has under sub-section (1) of section 6 of the said Act submitted report to the Government;

And whereas, the Central Government has after considering the said report decided to acquire the right of user in the lands specified in the schedule appended to this notification;

Now, therefore, in exercise of the powers conferred by sub-section (1) of section 6 of the said Act, the Central Government hereby declares that the right of user in the said land specified in the schedule appended to this notification is hereby acquired for laying the pipelines and in exercise of the powers conferred by sub-section (4) of that section the Central Government directs that the right of user in the said lands shall instead of vesting in the Central Government vest on the date of publication of this declaration in the Indian Oil Corporation Ltd. free from all encumbrances.

SCHEDULE

State—Uttar Pradesh	Tehsil and District—Kanpur
Village	Survey Plot No. Extent in B—B
Nalbasti	39 0—10—5
	42 0—5—0

State — Uttar Pradesh Tehsil and District — Kanpur

Village	Survey Plot No.	Extem in B—B—B
Naubasta— <i>contd.</i>	44	0—6—0
	56	0—7—0
	57	0—2—0
	59	0—9—10
	60	0—9—10
	695	0—10—10
	696	0—6—0
	697	0—6—5
	710	0—7—10
	711	0—1—0
	712	0—6—0
	713	0—8—0
	728	0—6—0
	729	0—7—0
	730	0—0—15
	740	0—6—0
	742	0—8—10
	744	0—2—10
	745	0—6—5
	885	0—3—0

[No. 28(10)/68-IOC/Lab. & Legis.]

New Delhi, the 29th April 1970

S.O. 1784.—Whereas it appears to the Central Government that it is necessary in the public interest that for the transport of Petroleum from the drill sites well No. 57(KFC) to GGS II in the Kalol Oil-Field, in Gujarat State, Pipelines should be laid by the Oil and Natural Gas Commission and that for the purpose of laying such Pipelines, it is necessary to acquire the Right of User in the land described in the schedule annexed hereto.

2. Now, therefore, in exercise of the powers conferred by Sub-Section (i) of the Section 3 of the Petroleum Pipelines (Acquisition of Right of User in land) Act, 1962 (50 of 1962), the Central Government hereby declares its intention to acquire the right of user therein.

3. Any person interested in the said land may, within 21 days from the date of this notification object to the laying of the pipelines under the land to the Competent Authority, at Western Region, Shed No. 27, Makarpura Road, Near Central Workshop, Baroda-4, in the Office of the Gujarat Pipelines (Oil and Natural Gas Commission), Baroda. Every person making such an objection shall also state specifically whether he wishes to be heard in person or by a legal practitioner.

SCHEDULE

For Laying Pipeline from Well No. 57 (KFC) to G.G.S. II

State — Gujarat	District — Mehsana	Taluka — Kalol			
Village	Survey No.	Hectare.	Are.	P. Are.	
SAIJ	462	0	4	55	
	463/1	0	2	60	
	463/2	0	0	50	

For Laying Pipeline From Well No. 57 (KPC) to G.G.S. II

State — Gujarat	Dist — Gandhinagar	Tal. — Gandhinagar.			
Village	S. No.	Hectare	Are.	P. Are.	
Bhoyan Rathod	195	0	2	37	
	209/1	0	14	39	
	208	0	11	38	
	207	0	7	20	
	206	0	7	80	

[No. 20/3/67-IOC-Lab. & Legis.]

S.O. 1785.—Whereas it appears to the Central Government that it is necessary in the public interest that for the transport of Petroleum from the drill sites well No. 44(KAE) to GGS II in the Kalol Oil-Field, in Gajarat State, Pipelines should be laid by the Oil and Natural Gas Commission and that for the purpose of laying such Pipelines, it is necessary to acquire the Right of User in the land described in the schedule annexed hereto.

2. Now, therefore, in exercise of the powers conferred by Sub-Section (i) of the Section 3 of the Petroleum Pipelines (Acquisition of Right of User in land) Act, 1962 (50 of 1962), the Central Government hereby declares its intention to acquire the right of user therein.

3. Any person interested in the said land may, within 21 days from the date of this notification object to the laying of the pipelines under the land to the Competent Authority, at Western Region, Shed No. 27, Makarpura Road, Near Central workshop, Baroda-4, in the Office of the Gujarat Pipelines (Oil and Natural Gas Commission), Baroda. Every person making such an objection shall also state specifically whether he wishes to be heard in person or by a legal practitioner.

SCHEDULE

For Laying Pipeline from Well No. 44 (KAE) to GGS. II

State — Gujarat Dist: — Gandhinagar Taluka — Gandhinagar.

Village	S. No.	Hectare	Are.	P. Are.
Titoda	1072 Block No. 825	0	4	68
Bhoyan Rathod	143	0	6	24
"	144/I	0	11	05
"	145	0	17	04
"	145	0	13	28
"	147/2	0	3	90
"	147/I	0	17	47
"	148/18	0	11	25
"	148/1A	0	8	10

From Laying Pipeline From Well No. 44 (KAE) to G.G.S. II

State — Gujarat District — Mehsana Taluka — Kalol

Village	Survey No.	Hectare	Are.	P. Are.
SAIJ	570	0	13	34
	572	0	12	22
	580/6	0	0	50
	778	0	19	73
	770	0	00	50
	776	0	30	23
	775	0	13	78
	772	0	4	49
	779/I	0	32	50
	768/3	0	2	67
	Cart Track	0	00	39
	768/I	0	4	28
	768/2	0	1	95
	767/I	0	36	31
	758/2	0	4	03

Village	Survey No.	Aectare No.	Are.	P. Are.
<hr/>				
Saij—contd.				
	755	0	3	64
	754/18	0	3	47
	754/1	0	3	38
	753/2	0	3	67
	753/1	0	4	06
	752/2	0	13	29
	752/1	0	7	41
	V.P. Cart Track	0	00	41
	746	0	14	43
	745	0	11	14
	744	0	11	31
	V.P. Cart Track	0	00	72
	731/1 & 2	0	20	76
	730	0	20	12
	V.P. Cart Track	0	9	88
	712/A/P	0	17	03

[No. 20/3/67-IOC/Lab. & Legis.]

S.O. 1786.—Whereas it appears to the Central Government that it is necessary in the public interest that for the transport of Petroleum from the drill sites well No. 97(KIJ) to GGS II in the Kalol Oil-Field, in Gujarat State, Pipelines should be laid by the Oil and Natural Gas Commission and that for the purpose of laying such Pipelines, it is necessary to acquire the Right of User in the land described in the schedule annexed hereto.

2. Now, therefore, in exercise of the powers conferred by Sub-Section (i) of the Section 3 of the Petroleum Pipelines (Acquisition of Right of User in land) Act, 1962 (50 of 1962), the Central Government hereby declares its intention to acquire the right of user therein.

3. Any person interested in the said land may, within 21 days from the date of this notification object to the laying of the pipelines under the land to the Competent Authority, at Western Region, Shed No. 27, Makarpura Road, Near Central Workshop, Baroda-4, in the Office of the Gujarat Pipelines (Oil and Natural Gas Commission), Baroda. Every person making such an objection shall also state specifically whether he wishes to be heard in person or by a legal practitioner.

SCHEDULE

For laying pipeline from well No. 97 (KIJ) to GGS, II

State — Gujarat Dist : — Mehsana Tal — Kalol

Village	S. No.	Hectare	Are.	P. Are.
Saij	916	0	6	37
"	914	0	7	13

For laying from well No. 97 (KLJ) to GGS. II

State — Gujarat Distt. Gandhinagar Tal — Gandhinagar.

Village	S. No.	Hectare	Are.	P. Are.
Sertha	Village Panchyat cart track	0	0	65
"	1081/1,2,3,4, Paiki	0	7	80

Village	S. NO.	Hectare	ARE.	P. Are.
Sertha—contd.	1081/1,2,3,4, Paiki	0	6	55
	1082/1A	0	10	79
	1082/1B	0	10	45
	1083/1	0	6	11
	1083/2	0	3	77
	1083/3	0	0	50
	1084/1	0	7	80
	1085/1	0	4	68
	1085/2	0	2	34
	1085/3	0	6	37

[No. 20/3/67-IOC-Lab.&Legis.]

S.O. 1787.—Whereas it appears to the Central Government that it is necessary in the public interest that for the transport of Petroleum from the drill sites well No. 29(KY) to 57(KFC) to GGS II in the Kalol Oil-Field, in Gujarat State, pipelines should be laid by the Oil and Natural Gas Commission and that for the purpose of laying such Pipelines, it is necessary to acquire the Right of User in the land described in the schedule annexed hereto.

2. Now, therefore, in exercise of the powers conferred by Sub-Section (i) of the Section 3 of the Petroleum Pipelines (Acquisition of Right of User in land) Act, 1962 (50 of 1962), the Central Government hereby declares its intention to acquire the right of user therein.

3. Any person interested in the said land may, within 21 days from the date of this notification object to the laying of the pipelines under the land to the Competent Authority, at Western Region, Shed No. 27, Makarpura Road, Near Central Workshop, Baroda-4, in the Office of the Gujarat Pipelines (Oil and Natural Gas Commission), Baroda. Every person making such an objection shall also state specifically whether he wishes to be heard in person or by a legal practitioner.

SCHEDULE

For Laying Pipeline from Well No. 29(KY) to Well No. 57(KFC) to GGS. II.

State — GUJARAT

Dist : — Gandhinagar Tal — Gandhinagar.

Village	S. No.	Hectare	Are.	P. Are.
Bhoyan TATHOD	3/1	0	7	80
"	3/2	0	1	11
" Village	Panchayat Cart track	0	0	59
"	248	0	9	10
"	247	0	0	50
" Village	Panchayat Cart track	0	2	73
"	251	0	2	60
"	235	0	8	71
" Village	Panchayat cart track	0	0	65
"	243	0	25	91
"	242	0	13	65
" Village	Panchayat cart track	0	0	91
"	194	0	7	61
"	195	0	13	16

[No. 20/3/67-IOC-Lab.&Legis.]

S.O. 1788.—Whereas by a notification of the Government of India in the Ministry of Petroleum and Chemicals and Mines and Metals (Department of Petroleum) S. O. No. 92 dated 22nd December, 1969 under sub-section (1) of Section 3 of the Petroleum Pipelines (Acquisition of Right of User in land) Act, 1962 (50 of 1962), the Central Government declared its intention to acquire the Right of User in the lands specified in the schedule appended to that notification for the purpose of laying pipelines.

And whereas, the competent authority has, under sub-section (1) of section 6 of the said Act, submitted report to the Government;

And whereas, the Central Government has, after considering the said report, decided to acquire the right of user in the lands specified in the schedule appended to this notification.

Now, whereas, in exercise of the power conferred by sub-section (1) of the Section 6 of the said Act, the Central Government hereby declares that the right of user in the said lands specified in the schedule appended to this notification is hereby acquired for laying the pipelines and in exercise of the powers conferred by sub-section (4) of that section the Central Government directs that the right of user in the said lands shall instead of vesting in the Central Government vest on this date of the publication of this declaration in the Oil and Natural Gas Commission free from all encumbrances.

SCHEDULE

Laying Pipeline From Well No. Kip (112) to G.G.S. VII.

State—Gujarat.

District—Gandhinagar.

Taluka—Gandhinagar

Village.	No.	Hectare.	Acre.	P. Acre.
UVARSAID.	1231	..	27	28
	V. P. Cart track.	..	0	82
	1230/1	..	6	41
	1229	..	7	10
			+10	53
	1167	..	7	06
	1158	..	16	61
	1157	..	15	67
			+ 4	72
	1169/3	..	7	41
	1170/5 & 6	..	12	35
	1170/2 A & B	..	5	20
	1170/1	..	4	98
	1171/4	..	2	97
	1171/3	..	2	68
	1171/2	..	2	11
	1152	..	3	90
	1151/6	..	5	62
	1151/5	..	3	46
	1151/4	..	4	99
	1150/6	..	0	39
	V. P. Cart track.	..	0	91
	1102/1	..	14	36
	1108	..	6	37
	1107	..	7	80

[No. 20/3/67-IOC-Lab. & Legis.]

New Delhi, the 30th April 1970

S.O. 1789.—Whereas by a notification of the Government of India in the Ministry of Petroleum and Chemicals, S.O. No. 2941 dated 27th July, 1968, published in the Gazette of India dated 31st August, 1968, under sub-section (1) of section 3 of the Petroleum Pipelines (Acquisition of Right of User in Land) Act 1962, the Central Government declared its intention to acquire the right of user in the land specified in the schedule appended to that notification for the purpose of laying pipelines.

And whereas, the competent Authority has under sub-section (1) of section 6 of the said Act submitted report to the Government;

And whereas, the Central Government has after considering the said report decided to acquire the right of user in the lands specified in the schedule appended to this notification;

Now, therefore, in exercise of the powers conferred by sub-section (1) of section 6 of the said Act, the Central Government hereby declares that the right of user in the said land specified in the schedule appended to this notification is hereby acquired for laying the pipelines and in exercise of the powers conferred by sub-section (4) of that section the Central Government directs that the right of user in the said lands shall instead of vesting in the Central Government vest on the date of publication of this declaration in the Indian Oil Corporation Limited free from all encumbrances.

SCHEDULE

State—Uttar Pradesh

Tehsil & District—Mirzapur

Village	Survey Plot No.	Extent in B-B-B
BASAH I	229	0—0—10
	276	0—0—10
	282/3	0—1—5
	284/1	0—2—10
	287	0—2—10
	290/1	0—2—5
	291	0—2—0
	298/1	0—2—0

[No. 28(5)/68-IOC/Lab. & Legis.]

S.O. 1790.—Whereas by a notification of the Government of India in the Ministry of Petroleum and Chemicals S.O. No. 2939 dated 27th July, 1968 published in the Gazette of India dated 31st August, 1968 under sub-section (1) of section 3 of the Petroleum Pipelines (Acquisition of Right of User in Land) Act 1962, the Central Government declared its intention to acquire the right of user in the land specified in the schedule appended to that notification for the purpose of laying pipelines.

And whereas, the Competent Authority has under sub-section (1) of section 6 of the said Act submitted report to the Government;

And whereas the Central Government has after considering the said report decided to acquire the right of user in the lands specified in the schedule appended to this notification;

Now, therefore, in exercise of the powers conferred by sub-section (1) of section 6 of the said Act, the Central Government hereby declares that the right of user in the said land specified in the schedule appended to this notification is hereby acquired for laying the pipelines and in exercise of the powers conferred by sub-section (4) of that section the Central Government directs that the right of user in the said lands shall instead of vesting in the Central Government vest on the date of publication of this declaration in the Indian Oil Corporation Limited free from all encumbrances.

SCHEDULE

State—Uttar Pradesh

Tehsil & Distt—Kanpur

Village:	Survey Plot No.	Extent in B-B-B
KURHWA	922 A	0—12—4

[No. 28(5)/68-IOC/Lab. & Legis.]

S.O. 1791.—Whereas by a notification of the Government of India in the Ministry of Petroleum and Chemicals S.O. No. 3850 dated 14th October, 1968 published in the Gazette of India dated 2nd November, 1968 under sub-section (1) of section 3 of the Petroleum Pipelines (Acquisition of Right of User in Land) Act, 1962, the Central Government declared its intention to acquire the right of user in the land specified in the schedule appended to that notification for the purpose of laying pipelines.

And whereas, the competent Authority has under sub-section (1) of section 6 of the said Act submitted report to the Government;

And whereas the Central Government has after considering the said report decided to acquire the right of user in the lands specified in the schedule appended to this notification;

Now, therefore, in exercise of the powers conferred by sub-section (1) of section 6 of the said Act, the Central Government hereby declares that the right of user in the said land specified in the schedule appended to this notification is hereby acquired for laying the pipelines and in exercise of the powers conferred by sub-section (4) of that section the Central Government directs that the right of user in the said lands shall instead of vesting in the Central Government vest on the date of publication of this declaration in the Indian Oil Corporation Limited free from all encumbrances.

SCHEDULE

State—Uttar Pradesh	Tehsil—Chail	Distt.—Allahabad,
Village	Survey Plot No.	Extent in B—B—B
Usmanpur Maiku	159/108	0—1—0

[No. 28(5)/68-IOC/Lab.&Legis.]

S.O. 1792.—Whereas by a notification of the Government of India in the Ministry of Petroleum and Chemicals S.O. No. 2940 dated 27th July, 1968 published in the Gazette of India dated 31st August, 1968 under sub-section (1) of section 3 of the Petroleum Pipelines (Acquisition of Right of User in Land) Act 1962 the Central Government declared its intention to acquire the right of user in the land specified in the schedule appended to that notification for the purpose of laying pipelines.

And whereas, the competent Authority has under sub-section (1) of section 6 of the said Act submitted report to the Government;

And whereas, the Central Government has after considering the said report decided to acquire the right of user in the lands specified in the schedule appended to this notification;

Now, therefore, in exercise of the powers conferred by sub-section (1) of section 6 of the said Act, the Central Government hereby declares that the right of user in the said land specified in the schedule appended to this notification is hereby acquired for laying the pipelines and in exercise of the powers conferred by sub-section (4) of that section the Central Government directs that the right of user in the said lands shall instead of vesting in the Central Government vest on the date of publication of this declaration in the Indian Oil Corporation Limited free from all encumbrances.

SCHEDULE

State—Uttar Pradesh	Tehsil—Chail	Distt.—Allahabad
Village	Survey Plot No.	Extent in B—B—B
I	2	3
Sayed Sarawan	2023	0—1—15
	2024	0—2—10
	2121	0—0—5
	2125	0—0—19
	3440	0—3—10

I	2	3
Manauri	114 185	0—0—10 0—2—18
Kosawan	50 51 52	0—0—5 0—13—0 0—0—10
Kasari Masari	1199	0—0—5

[No. 28(5)/68-IOC/Lab. & Legis.]

S.O. 1793.—Whereas by a notification of the Government of India in the Ministry of Petroleum and Chemicals and Mines and Metals (Department of Petroleum) S.O. Nos. 90 and 1140 dated 22-12-69 and 13-3-70 under sub-section (1) of Section 3 of the Petroleum Pipelines (Acquisition of Right of User in land) Act, 1962 (50 of 1962), the Central Government declared its intention to acquire the Right of User in the lands specified in the schedule appended to that notification for the purpose of laying pipelines.

And whereas, the competent authority has, under sub-section (1) of section 6 of the said Act, submitted report to the Government;

And whereas, the Central Government has, after considering the said report, decided to acquire the right of user in the lands specified in the schedule appended to this notification.

Now, whereas, in exercise of the powers conferred by sub-section (1) of Section 6 of the said Act, the Central Government hereby declares that the right of user in the said lands specified in the schedule appended to this notification is hereby acquired for laying the pipelines and in exercise of the powers conferred by sub-section (4) of that section, the Central Government directs that the right of user in the said lands shall instead of vesting in the Central Government vest on this date of the publication of this declaration in the Oil and Natural Gas Commission free from all encumbrances.

SCHEDULE

Laying Pipeline From Well No. KHM (102) to G.G.S. III

State—Gujarat	District—Mehsana	Taluka—Kadi.				
Village	Survey No.	Hectare	Are	P. Are		
BILESHWARPURA	209	0	3	76		
	V. P. Road track	0	1	4		
CHHATRAL	117	0	5	20		
AMBAVPURA	176	0	6	44		
	175	0	8	84		
	174	0	4	42		
	173	0	2	02		
	179	0	14	76		
	182/2	0	3	14		
	182/1	0	9	56		
	168	0	11	44		
	165	0	4	01		
	163	0	1	76		
	164	0	6	70		
	160/1	0	14	24		

1	2	3	4
<hr/>			
AMBAYPARA— <i>contd.</i>	160/2	0	5 27
	V.P. Track	0	1 50
	142/1A	0	9 10
	132	0	3 70
	133/2	0	2 11
	133/1	0	6 50
	134	0	10 86
	133	0	8 32
	136/1	0	1 00
	127	0	12 09

[No. 20/3/67-IOC/Lab. & Legis.]

S.O. 1794.—Whereas by a notification of the Government of India in the Ministry of Petroleum and Chemicals and Mines and Metals (Department of Petroleum) S.O. No. 426 dated 23rd January, 1970 under sub-section (1) of Section 3 of the Petroleum Pipelines (Acquisition of Right of User in land) Act, 1962 (50 of 1962), the Central Government declared its intention to acquire the Right of User in the lands specified in the schedule appended to that notification for the purpose of laying pipelines.

And whereas the competent authority has, under sub-section (1) of section 6 of the said Act, submitted report to the Government;

And whereas, the Central Government has, after considering the said report, decided to acquire the right of user in the lands specified in the schedule appended to this notification.

Now, whereas, in exercise of the powers conferred by sub-section (1) of the Section 6 of the said Act, the Central Government hereby declares that the right of user in the said lands specified in the schedule appended to this notification is hereby acquired for laying the pipelines and in exercise of the powers conferred by sub-section (4) of that section, the Central Government directs that the right of user in the said lands shall instead of vesting in the Central Government vest on this date of the publication of this declaration in the Oil and Natural Gas Commission free from all encumbrances.

SCHEDULE

For Laying Pipeline from Well No. 129(KHU) to GGS. VI

State—Gujarat

District—Mehsana

Taluka—Kadi

Village	Survey No.	Hectare	Are	P. Are.
<hr/>				
ZULASAN	539	0	3	05
	540	1	0	37
	554/5	0	2	93
	554/4	1	0	17
	554/3	0	3	54
	554/2	1	3	18
	554/1	0	0	50
	557	0	6	95

[No. 20/3/70-IOC/Lab. & Legis.]

S.O. 1795.—Whereas by a notification of the Government of India in the Ministry of Petroleum and Chemicals and Mines and Metals (Department of Petroleum) S.O. No. 430 dated 28th January, 1970 under sub-section (1) of Section 3 of the Petroleum Pipelines (Acquisition of Right of User in land) Act, 1962 (50 of 1962), the Central Government declared its intention to acquire

the Right of User in the lands specified in the schedule appended to that notification for the purpose of laying pipelines.

And whereas the competent authority has, under sub-section (1) of section 6 of the said Act, submitted report to the Government;

And whereas, the Central Government has, after considering the said report, decided to acquire the right of user in the lands specified in the schedule appended to this notification.

Now, whereas, in exercise of the powers conferred by sub-section (1) of the Section 6 of the said Act, the Central Government hereby declares that the right of user in the said lands specified in the schedule appended to this notification is hereby acquired for laying the pipelines and in exercise of the powers conferred by sub-section (4) of that section, the Central Government directs that the right of user in the said lands shall instead of vesting in the Central Government vest on this date of the publication of this declaration in the Oil and Natural Gas Commission free from all encumbrances.

SCHEDULE

For Laying Pipeline from Well No. 92 (KHE) to G.G.S. 1

State—Gujarat

District—Gandhinagar

Taluka—Gandhinagar

Village	Survey No.	Hectare	Are	P. Are
SERTHA	663/3	0	4	15
	716	0	48	19
	719	1	26	74

[No. 20/3/67-IOC/Lab. & Legis.]

New Delhi, the 6th May 1970

S.O. 1796.—Whereas by a notification of the Government of India in the Ministry of Petroleum and Chemicals and Mines and Metals (Department of Petroleum) S.O. No 871 dated February 23, 1970 under sub-section (1) of Section 3 of the Petroleum Pipelines (Acquisition of Right of User in land) Act, 1962 (50 of 1962), the Central Government declared its intention to acquire the Right of User in the lands specified in the schedule appended to that notification for the purpose of laying pipelines.

And whereas the competent authority has, under sub-section (1) of section 6 of the said Act, submitted report to the Government;

And whereas, the Central Government has, after considering the said report, decided to acquire the right of user in the lands specified in the schedule appended to this notification.

Now, whereas, in exercise of the powers conferred by sub-section (1) of the Section 6 of the said Act, the Central Government hereby declares that the right of user in the said lands specified in the schedule appended to this notification is hereby acquired for laying the pipelines and in exercise of the powers conferred by sub-section (4) of that section, the Central Government directs that the right of user in the said lands shall instead of vesting in the Central Government vest on this date of the publication of this declaration in the Oil and Natural Gas Commission free from all encumbrances.

SCHEDULE

Laying Gas Pipeline from Nawagam C.T.F. to Calico Mills (Ahmedabad).

State—Gujarat

District—Ahmedabad

Taluka—Dascroi

Village	Survey/Block No.	Hectare	Acre	P.Arc.
OAD	292	0	12	45
	290	0	9	60
	291	0	15	00
	295	0	11	40
	Road	0	2	70
	344	0	3	00
	342	0	3	00
	341	0	2	90
	337	0	00	09
	343	0	2	50
	340	0	6	90
	361/P	0	15	03
	361/P	0	2	67
	458	0	9	75
	461	0	3	90
	462	0	5	55
	463	0	6	45
	552	0	00	21
	559	0	7	95
	554	0	4	80
	557	0	3	75
	555	0	3	80
	556	0	5	40
	565	0	1	95
	564	0	18	15
	697	0	00	10
	696	0	12	75
	695	0	10	50
	694	0	00	50
	Road	0	3	60
	44/P	0	16	05
	44/P	0	18	45
	48/P	0	8	55
	48/P	0	10	65
	47	0	1	92
	60/P	0	13	95
	60/P	0	12	60
	60/P	0	3	05
	59	0	7	45
	58	0	16	75
	55	0	2	15
	57	0	2	55
	Road	0	1	85
	670	0	7	95

[No. 29(7)/68-IOC/Lab. & Legis.]

S.O. 1797.—Whereas by a notification of the Government of India in the Ministry of Petroleum and Chemicals and Mines and Metals (Department of Petroleum) S.O. No. 372 dated February 23, 1970 under sub-section (1) of Section 3 of the Petroleum Pipelines (Acquisition of Right of User in land) Act, 1962 (50 of 1962), the Central Government declared its intention to acquire the Right of User in the lands specified in the schedule appended to that notification for the purpose of laying pipelines.

And whereas the competent authority has, under sub-section (1) of section 6 of the said Act, submitted report to the Government;

And whereas, the Central Government has, after considering the said report, decided to acquire the right of user in the lands specified in the schedule appended to this notification.

Now, whereas, in exercise of the powers conferred by sub-section (1) of the Section 6 of the said Act, the Central Government hereby declares that the right of user in the said lands specified in the schedule appended to this notification is hereby acquired for laying the pipelines and in exercise of the powers conferred by sub-section (4) of that section, the Central Government directs that the right of user in the said lands shall instead of vesting in the Central Government vest on this date of the publication of this declaration in the Oil and Natural Gas Commission free from all encumbrances.

SCHEDULE

Laying Gas Pipeline from Nawagam C.T.P. to Calico Mills (Ahmedabad)

State—Gujarat	District—Ahmedabad	Taluka—Dascroi
Village	Block/Survey No.	Hectare Arc P. Arc.
Bareja	642	0 3 45
	Cart track	0 0 25
	641	0 2 60
	640	0 4 75
	637	0 5 85
	638	0 0 75
	623	0 2 75
	622	0 3 65
	621	0 4 15
	619	0 0 85
	620	0 0 85
	616/Part	0 2 40
	Cart track	0 0 35
	616/Part	0 2 80
	615	0 2 90
	614	0 2 25
	590	0 4 65
	588/Part	0 5 30
	588/Part	0 0 35
	454	0 7 80
	455	0 1 05
	456	0 4 90
	Cart track	0 0 85
	435	0 0 75
	434	0 7 25
	433/Part	0 2 90
	433/Part	0 2 55
	431	0 3 85
	430	0 2 25
	389	0 0 95
	429	0 5 10
	390	0 2 72
	391	0 0 68
	392	0 4 10
	339	0 4 45
	335	0 4 15
	341	0 4 05
	334	0 1 85
	332	0 4 15
	312	0 3 10
	202/Part	0 6 65
	Cart track	0 1 30
	202/Part	0 2 55
	84	0 0 60
	83	0 6 40
	68	0 2 75
	81	0 2 70

Village	Block/Survey No.	Hectars	Are	P. Are.
Bareilly contd.	80	0	4	10
	79	0	3	55
	77	0	3	80
	95	0	0	75
	96	0	5	80
	97	0		
	98	0	3	65
	98	0	3	25
	Cart track	0	0	30
	2668	0	5	40
	2657	0	2	50
	2658	0	5	20
	2653	0	0	45
	2659	0	1	95
	2651	0	3	15
	2650	0	2	85
	2634	0	4	00
	2633	0	1	00
	2635	0	4	25
	2630	0	5	50
	2628	0	1	00
	Road (Cart track)	0	1	80
	2599	0	2	50
	2597	0	3	00
	2595	0	0	25
	2594	0	6	00
	2593	p	5	00
	2592	0	4	75

[No. 29(7)/68-IOC/Lab. & Legis.]

S.O. 1798.—Whereas by a notification of the Government of India in the Ministry of Petroleum and Chemicals and Mines and Metals (Department of Petroleum) S.O. No. 873 dated 23rd February, 1970 under sub-section (1) of Section 3 of the Petroleum Pipelines (Acquisition of Right of User in land) Act, 1962 (50 of 1962), the Central Government declared its intention to acquire the Right of User in the lands specified in the schedule appended to that notification for the purpose of laying pipelines.

And whereas the competent authority has, under sub-section (1) of section 6 of the said Act, submitted report to the Government;

And whereas, the Central Government has, after considering the said report, decided to acquire the right of user in the lands specified in the schedule appended to this notification.

Now, whereas, in exercise of the powers conferred by sub-section (1) of the Section 6 of the said Act, the Central Government hereby declared that the right of user in the said lands specified in the schedule appended to this notification is hereby acquired for laying the pipelines and in exercise of the powers conferred by sub-section (4) of that section, the Central Government directs that the right of user in the said lands shall instead of vesting in the Central Government vest on this date of the publication of this declaration in the Oil and Natural Gas Commission free from all encumbrances.

SCHEDULE

*Laying Gas Pipeline from Nawangam C.T.F. to Calico Mills
(Ahmedabad).*

State — Gujarat	District — Ahmedabad	Taluka — Dascroi.		
Village	Survey/Block No.	Hectare	Are	P. Are.
GIRAMTHA	9	0	8	75
	8	0	5	75
	10	0	3	50

Village	Survey/Block No.	Hectare	Are	P. Are,
m tha— <i>contd.</i>	37/Part	0	0	80
	37/Part	0	1	35
	37/Part	0	1	25
	36	0	2	05
	38	0	3	30
	52	0	2	05
	53	0	1	75
	55	0	1	85
	67	0	4	10
	64	0	3	30
	65	0	1	00
	63	0	2	85
	Cart Track	0	0	75
	78	0	1	80
	79	0	1	00
	96	0	8	10
	80	0	0	15
	95/Part	0	1	45
	95/Part	0	0	60
	95/Part	0	2	40
	95/Part	0	1	10
	95/Part	0	0	85
	93	0	4	00
	92	0	1	80
	169	0	3	55
	171	0	0	35
	170	0	2	90
	181	0	3	45
	182	0	3	45
	184/Part	0	0	50
	184/Part	0	0	50
	184/Part	0	0	95
	184/Part	0	2	90
	190	0	3	00
	187	0	8	00

[No. 29(7)/68-IOC/Lab. & Legis.]

S.O. 1799.—Whereas by a notification of the Government of India in the Ministry of Petroleum and Chemicals and Mines and Metals (Department of Petroleum) S.O. No. 874 dated February 23, 1970 under sub-section (1) of Section 3 of the Petroleum Pipelines (Acquisition of Right of User in land) Act, 1962 (50 of 1962), the Central Government declared its intention to acquire the Right of User in the lands specified in the schedule appended to that notification for the purpose of laying pipelines.

And whereas the competent authority has, under sub-section (1) of section 6 of the said Act, submitted report to the Government;

And whereas, the Central Government has, after considering the said report, decided to acquire the right of user in the lands specified in the schedule appended to this notification.

Now, whereas, in exercise of the powers conferred by sub-section (1) of the Section 6 of the said Act, the Central Government hereby declared that the right of user in the said lands specified in the schedule appended to this notification is hereby acquired for laying the pipelines and in exercise of the powers conferred by sub-section (4) of that section, the Central Government directs that the right of user in the said lands shall instead of vesting in the Central Government vest on this date of the publication of this declaration in the Oil and Natural Gas Commission free from all encumbrances.

SCHEDULE

Laying Gas Pipeline from Nawagam C.T.F. to Calico Mills (Ahmedabad)

State — Gujarat

District — Ahmedabad

Taluka — Dascroi

Village.	Block/Survey No.	Hectare	Are	P. Are.
RAMOD	28/P	0	85	70
	Road	0	1	50
	28/P	0	72	60
	57	0	49	50
	115	0	66	00
	106	0	22	75
	109	0	7	20
	102	0	00	30
	107	0	16	5
	108	0	4	80
	Cart Trach Simado	0	00	45

[No. 29(7)/68-IOC/Lab. & Legis.]

S.O. 1800.—Whereas by a notification of the Government of India in the Ministry of Petroleum and Chemicals and Mines and Metals (Department of Petroleum) S.O. No. 875 dated February 23, 1970 under sub-section (1) of Section 3 of the Petroleum Pipelines (Acquisition of Right of User in land) Act, 1962 (50 of 1962), the Central Government declared its intention to acquire the Right of User in the lands specified in the schedule appended to that notification for the purpose of laying pipelines.

And whereas the competent authority has, under sub-section (1) of section 6 of the said Act, submitted report to the Government;

And whereas, the Central Government has, after considering the said report, decided to acquire the right of user in the lands specified in the schedule appended to this notification.

Now, whereas, in exercise of the powers conferred by sub-section (1) of the Section 6 of the said Act, the Central Government hereby declared that the right of user in the said lands specified in the schedule appended to this notification is hereby acquired for laying the pipelines and in exercise of the powers conferred by sub-section (4) of that section, the Central Government directs that the right of user in the said lands shall instead of vesting in the Central Government vest on this date of the publication of this declaration in the Oil and Natural Gas Commission free from all encumbrances.

SCHEDULE

Laying Gas Pipeline from Nawagam C.T.F. to Calico Mills (Ahmedabad)

State — Gujarat

District —

Ahmedabad

Taluka — Dascroi

Village	Block/Survey No.	Hectate	Are	P. Ar
VASAI	686	0	4	65
	687/Part	0	1	15
	687/Part	0	1	30
	687/Part	0	1	55
	687/Part	0	1	85
	687/Part	0	1	60
	687/Part	0	0	75
	687/Part	0	3	70

[No. 29(7)/68-IOC/Lab. & Legis.]

S.O. 1801.—Whereas by a notification of the Government of India in the Ministry of Petroleum and Chemicals and Mines and Metals (Department of Petroleum) S.O. No. 877 dated February 23, 1970 under sub-section (1) of Section 3 of the Petroleum Pipelines (Acquisition of Right of User in land) Act, 1962 (50 of 1962), the Central Government declared its intention to acquire the Right of User in the lands specified in the schedule appended to that notification for the purpose of laying pipelines.

And whereas the competent authority has, under sub-section (1) of section 6 of the said Act, submitted report to the Government;

And whereas, the Central Government has, after considering the said report, decided to acquire the right of user in the lands specified in the schedule appended to this notification.

Now, whereas, in exercise of the powers conferred by sub-section (1) of the Section 6 of the said Act, the Central Government hereby declared that the right of user in the said lands specified in the schedule appended to this notification is hereby acquired for laying the pipelines and in exercise of the powers conferred by sub-section (4) of that section, the Central Government directs that the right of user in the said lands shall instead of vesting in the Central Government vest on this date of the publication of this declaration in the Oil and Natural Gas Commission free from all encumbrances.

SCHEDULE

Laying Gas Pipeline from Nawagam C.T.F. to Calico Mills (Ahmedabad)

State —	Gujarat	District —	Ahmedabad	Taluka —	Dascroi
Village	Block/Survey No.	Hectare	Are	P. Are.	
NAZ	431	0	5	70	
	433	0	0	75	
	434	0	5	40	
	497	0	3	85	
	496	0	3	50	
	502	0	2	85	
	503	0	2	50	
	501	0	0	06	
	505/Part	0	0	06	
	506	0	2	80	
	507	0	0	21	
	505/Part	0	2	70	
	508	0	2	85	
	509	0	2	80	
	578/Part	0	2	65	
	578/Part	0	1	30	
	583	0	4	65	
	580	0	2	50	
	579	0	4	55	
	632	0	14	45	
	635	0	3	10	
	637	0	1	00	
	654	0	2	30	
	645/Part	0	2	05	
	645/Part	0	0	60	
	644	0	1	05	
	643/Part	0	2	00	
	643/Part	0	2	60	
	704/Part	0	3	20	
	704/Part	0	2	90	
	704/Part	0	2	15	
	704/Part	0	0	60	
	704/Part	0	5	45	

Village	Block/Survey No.	Hectare	Are	P. Are.
NAZ— <i>contd.</i>	704/Part	0	0	21
	704/Part	0	1	15
	Cart Track	0	0	55
	12	0	0	65
	13	0	3	75
	14/Part	0	7	75
	14/Part	0	0	70
	14/Part	0	1	60

[No. 29(7)/68-IOC/Lab. & Legis.]

S.O. 1802.—Whereas by a notification of the Government of India in the Ministry of Petroleum and Chemicals and Mines and Metals (Department of Petroleum) S.O. No. 879 dated February 23, 1970 under sub-section (1) of Section 3 of the Petroleum Pipelines (Acquisition of Right of User in land) Act, 1962 (50 of 1962), the Central Government declared its intention to acquire the Right of User in the lands specified in the schedule appended to that notification for the purpose of laying pipelines.

And whereas the competent authority has, under sub-section (1) of section 6 of the said Act, submitted report to the Government;

And whereas, the Central Government has, after considering the said report, decided to acquire the right of user in the lands specified in the schedule appended to this notification.

Now, whereas, in exercise of the power conferred by sub-section (1) of the Section 6 of the said Act, the Central Government hereby declares that the right of user in the said lands specified in the schedule appended to this notification is hereby acquired for laying the pipelines and in exercise of the powers conferred by sub-section (4) of that section, the Central Government directs that the right of user in the said lands shall instead of vesting in the Central Government vest on this date of the publication of this declaration in the Oil and Natural Gas Commission free from all encumbrances.

SCHEDULE

Laying Gas Pipeline from Nawagam C.T.F. to Calico Mills (Ahmedabad)

State — Gujarat	District — Kaira	Taluka — Matar		
Village	Block/Survey No.	Hectare	Are	P. Are
KATHWADA	Road	0	1	15
	(Nawagam-Bareja)	0		
	461	0	0	25
	462	0	0	30
	463/Part	0	2	30
	463/Part	0	2	90
	463/Part	0	2	15

[No. 29(7)/68-IOC/Lab. & Legis.]

ERRATUM

New Delhi, the 25th April, 1970

S.O. 1803.—In the notification of Govt. of India in the Ministry of Petroleum and Chemicals and Mines and Metals (Department of Petroleum) issued under No. 20/3/67-IOC/

Lab. & Legis, dated 27-1-1970 and published under S.O. No. 429 on the pages 650-651, dated 7-2-1970.

"READ"					"FOR"				
Name of Village	S. No	Hect.	Are.	P.Arc.	Name of Village	S.No.	H.	Are.	P.Arc.
Isand . . .	213	0	11	68	Isand	213	0	6	65
" . . .	212	0	6	65					
Dhamasana . .	906/1	0	0	50	Dhamasana	906	0	6	50

[No. 20/3/67-IOC/Lab-& Legis.]

M. V. S. PRASADA RAU, Under Secy.

(Department of Mines & Metals)

New Delhi, the 11th May 1970

S.O. 1804.—Whereas in pursuance of the notification of the Government of India in the late Ministry of Steel, Mines and Fuel No. S.R.O. 3810, dated 23rd November, 1957, under section 9 of the Coal Bearing Areas (Acquisition and Development) Act, 1957 (20 of 1957), the Central Government has acquired lands measuring 3283.29 bighas (439.58 Hectares) and the rights to mine, quarry, bore, dig and search for, win, work and carry away minerals in the lands measuring 1392.27 bighas (186.40 Hectares) in the villages Kathara, Bandh, Mahali Bandh, Jhirki, Palani, Bhurkurwa Tand and Borea, P.S. Gomia, District Hazaribagh;

And whereas Sarva Shri Jagarnath Gosai and Jhari Gosai of village Bandh, P.S. Gomia, District Hazaribagh, the interested persons, have under section 13 of the said Act, preferred their claims for compensation for acquisition of their lands measuring 15.88 bighas (2.13 Hectares) which form part of the land so acquired to the competent authority;

And whereas the said claimants refused to accept the compensation amount offered by the competent authority, due to its inadequacy and there is a dispute as to the adequacy of the amount of compensation offered;

Now, therefore, in exercise of the powers conferred by sub-section (2) of section 14 of the said Act, the Central Government hereby constitutes a Tribunal consisting of Shri Rabneshwar Prasad Sinha, Additional Judicial Commissioner, Ranchi, for the purpose of determining the amount of compensation payable to the said claimants.

[No. C3-5(7)/70.]

(खान तथा धातु विभाग)

नई दिल्ली, 11 मई, 1970

क्र० आ० 1804.—यतः भारत सरकार के भूतपूर्व इस्पात, खान और ईंधन मंत्रालय की, कोयला वाले क्षेत्र (अर्जन और विकास) अधिनियम, 1957 (1957 का 20) की धारा 9 के अधीन, अधिसूचना सं० का० नि० आ० 3810, तारीख 23-11-1957 का अनुसरण करते हुए केन्द्रीय सरकार ने जिला हजारीबाग पुलिस थाना गोमिया के कठारा, बंध, महाली बंध, झिरकी, पलानी, भुरकुरवा टांड और बोरिया ग्रामों में 3283.29 बीघे की (439.56 हेक्टेयर) की भूमियां और 1392.27 बीघे की (186.40 हेक्टेयर) की भूमियों में खनिजों के खनन, खदास किया, और करने, खोदने के लिए और उनकी तलाश करने, उन्हें प्राप्त करने, खनित करने और उन्हें ले जाने के अधिकार अर्जित किए हैं ;

और यतः जिला हजारी बाग, पुलिस थाना गोमिया के बंध ग्राम के सर्व श्री जगरनाथ गोसाईं और तारो गोसाईं ने, जो हितबद्ध व्यक्ति हैं, उक्त अधिनियम की धारा 13 के अधीन अपनी 15.88 बीघे की (2.13 हेक्टेयर) की भूमियों के, जो इस प्रकार अर्जित भूमि के भाग हैं, अर्जन के लिए प्रतिकारार्थ अपने दावे सक्षम प्राधिकारी को किए हैं ;

और यतः उक्त दावेदारों ने सक्षम प्राधिकारी द्वारा प्रस्थापित प्रतिकर की रकम को, उसकी अवयवता के कारण स्वीकार करने से इंकार कर दिया है और प्रतिस्थापित प्रतिकर की रकम की पर्याप्तता के बाबत विवाद है ;

अतः अब उक्त अधिनियम की धारा 14 की उपधारा (2) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार उक्त दावेदारों को देय प्रतिकर की रकम अवधारित करने के प्रयोजन के लिए एतद् द्वारा एक अधिकरण गठित करती है जिसमें श्री रबनेश्वर प्रसाद सिन्हा, अपर न्यायिक आयुक्त, रांची होंगे ।

[सं० कोयला-3-5/7/70]

S.O. 1805.—Whereas in pursuance of the notification of the Government of India in the late Ministry of Steel, Mines and Fuel No. S.R.O. 3810, dated 23rd November 1957, under section 9 of the Coal Bearing Areas (Acquisition and Development) Act, 1957 (20 of 1957), the Central Government has acquired lands measuring 3283.29 bighas (439.58 Hectares) and the rights to mine, quarry, bore dig and search for, win, work and carry away minerals in the lands measuring 1392.27 bighas (186.40 Hectares) in the villages Kathara Band, Jhirki, Mahall Bandh, Palani, Bhurkurwa Tand and Borea, P.S. Gomia, District Hazaribagh;

And whereas Sarva Shri Kishun Teli and Lachhuman Shaw of village Bandh, P.S. Gomia, District Hazaribagh, the interested persons, have under section 13 of the said Act, preferred their claims for compensation for acquisition of their lands measuring 12.92 bighas (1.73 hectares) which form part of the land so acquired to the competent authority;

And whereas the said claimants refused to accept the compensation amount offered by the competent authority, due to its inadequacy and there is a dispute as to the adequacy of the amount of compensation offered;

Now, therefore, in exercise of the powers conferred by sub-section (2) of section 14 of the said Act, the Central Government hereby constitutes a Tribunal consisting of Shri Rabneshwar Prasad Sinha, Additional Judicial Commissioner, Ranchi, for the purpose of determining the amount of compensation payable to the said claimants.

[No. C3-5(7)/70.]

का० आ० 1805.—यतः भारत सरकार के भूतपुर्ष दस्पात, खान और ईंधन मंत्रालय की, कोयला वाले क्षेत्र (अर्जन और विकास) अधिनियम, 1957 (1957 का 20) की धारा 9 के अधीन, अधिसूचना सं० का० नि० आ० 3810, तारीख 23-11-1957 का अनुसरण करते हुए केन्द्रीय सरकार ने जिला हजारी बाग, पुलिस थाना गोमिया के कठारा, बंध, महाली बंध, शिरकी, पलानी, बोडिया भुरकुरवा टांड और ग्रामों में 3283.29 बीघे (439.58 हेक्टेयर) की भूमियां और 1392.27 बीघे (186.40 हेक्टेयर) की भूमियों में खनिजों के खनन, खदान क्रिया, बोर करने, खोदने के लिए और उनकी तलाश करने, उन्हें प्राप्त करने, खनित करने और ले जाने के अधिकार अर्जित किए हैं ;

और यतः जिला हजारीबाग, पुलिस थाना गोमिया के बंध ग्राम के श्री किशनु तेली और लक्ष्मण सावने, जो हितबद्ध व्यक्ति हैं उक्त अधिनियम की धारा 13 के अधीन अपनी 12.92 बीघे (1.73 हेक्टेयर) की भूमियों के, जो इस प्रकार अर्जित भूमि का भाग है अर्जन के लिए प्रतिकारार्थ अपने दावे सक्षम प्राधिकारी को किए हैं ;

और यतः उक्त दावेदारों ने सक्षम प्राधिकारी द्वारा प्रस्थापित प्रतिकर की रकम को, उसकी अपर्याप्तता के कारण स्वीकार करने से इंकार कर दिया है और प्रस्थापित प्रतिकर की रकम की पर्याप्तता की बाबत विवाद है ;

अतः अब उक्त अधिनियम की धारा 14 की उपधारा (2) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार उक्त दावेदारों को देय प्रतिकर की रकम अवधारित करने के प्रयोजन के लिए एतद् - द्वारा एक अधिकरण गठित करती है जिस में श्री खनेश्वर प्रसाद सिन्हा, अपर न्यायिक आयुक्त, रांची होंगे ।

[सं० कोयला-3-5/7/70]

S.O. 1806.—Whereas in pursuance of the notification of the Government of India in the late Ministry of Steel, Mines and Fuel No. S.R.O. 3810, dated 23rd November 1957, under section 9 of the Coal Bearing Areas (Acquisition and Development) Act, 1957 (20 of 1957), the Central Government has acquired lands measuring 3283.29 bighas (439.58 Hectares) and the rights to mine, quarry, bore, dig and search for, win, work and carry away minerals in the lands measuring 1392.27 bighas (186.40 Hectares) in the village Kathara, Bandh, Mahali Bandh, Jhirki, Palani, Borea and Bhurkurwa Tand, P.S. Gomia, District Hazaribagh.

And whereas Shri Khusan Gope of village Jhirki, P.S. Gomia, District Hazaribagh, the interested person, has under section 13 of the said Act, preferred his claim for compensation for acquisition of his land measuring 17.39 bighas (2.32 Hectares) which form part of the land so acquired to the competent authority;

And whereas the said claimant refused to accept the compensation amount offered by the competent authority, due to its inadequacy and there is a dispute as the adequacy of the amount of compensation offered;

Now, therefore, in exercise of the powers conferred by sub-section (2) of section 14 of the said Act, the Central Government hereby constitutes a Tribunal consisting of Shri Rameshwar Prasad Sinha, Additional Judicial Commissioner, Ranchi, for the purpose of determining the amount of compensation payable to the said claimant.

[No. C3-5(7)/70.]

का० प्रा० 1806.—यतः भारत सरकार के भूतपूर्व इसजात, खान और ईधन मंत्रालय की, कोयला वाले क्षेत्र (अर्जन और विकास) अधिनियम, 1957 (1957 का 20) की धारा 9 के अधीन, अधिसूचना सं० का० नि० प्रा० 3810, तारीख 23-11-1957 का अनुसरण करते हुए केन्द्रीय सरकार ने जिला हजारी बाग, पुलिस थाना गोमिया के कठारा, बंध, महाली बंध, झिरकी, पलानी, बोरिया और भुरकुवा टांड ग्रामों में 3283.29 बीघे (439.58 हेक्टेयर) की भूमियां और 1392.27 बीघे (186.40 हेक्टेयर) की भूमियों में खनिजों के खनन, खदान क्रिया, बोर करने, खोदने के लिए और उनकी तलाश करने, उन्हें प्राप्त करने, खनित करने और ले जाने के अधिकार अर्जित किए हैं ;

और यतः जिला हजारीबाग, पुलिस थाना गोमिया के झिरकी ग्राम के श्री खुसन गोप ने जो हितबद्ध व्यक्ति हैं, उक्त अधिनियम की धारा 13 के अधीन अपनी 17.39 बीघे (2.32 हेक्टेयर) की भूमियों के, जो इस प्रकार अर्जित भूमि का भाग है अर्जन के लिए प्रतिकरार्थ अपना दावा सक्षम प्राधिकारी को किया है ;

और यतः उक्त दावेदार ने सक्षम प्राधिकारी द्वारा प्रस्थापित प्रतिकर की रकम को, उसकी अपर्याप्तता के कारण स्वीकार करने से इंकार कर दिया है और प्रस्थापित प्रतिकर की रकम की पर्याप्तता की बाबत विवाद है ;

अतः अब उक्त अधिनियम की धारा 14 की उपधारा (2) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार उक्त दावेदारों को देय प्रतिकर की रकम अवधारित करने के प्रयोजन के लिए एतद् -

द्वारा एक अधिकरण गठित करती है जिस में श्री रबनेश्वर प्रसाद सिन्हा, अपर न्यायिक प्रायुक्त, रांची होंगे ।

[सं० कोयला-3-5/7/70]

S.O. 1807.—Whereas in pursuance of the notification of the Government of India in the late Ministry of Steel, Mines and Fuel No. S.R.O. 3810, dated 23rd November 1957, under section 9 of the Coal Bearing Areas (Acquisition and Development) Act, 1957 (20 of 1957), the Central Government has acquired lands measuring 3283.29 bighas (439.58 Hectares) and the rights to mine, quarry, bore, dig and search for, win, work and carry away minerals in the lands measuring 1392.27 bighas (186.40 Hectares) in the villages Kathara, Bandh, Mahali Bandh, Jhirki, Palani, Bhurkurwa Tand and Borea, P.S. Gomia, District Hazaribagh;

And whereas Smt. Lalmani Kuer wife of Banshi Singh of village Kathara, P.S. Gomia, District Hazaribagh, the interested person, has under section 13 of the said Act, preferred her claim for compensation for acquisition of her land measuring 1.84 bighas (0.25 Hectares) which form part of the land so acquired to the competent authority;

And whereas the compensation offered by the competent authority has been accepted by the said claimant only under protest and there is a dispute as to the sufficiency of the amount of compensation offered;

Now, therefore, in exercise of the powers conferred by sub-section (2) of section 14 of the said Act, the Central Government hereby constitutes a Tribunal consisting of Shri Rabneshwar Prasad Sinha, Additional Judicial Commissioner, Ranchi, for the purpose of determining the amount of compensation payable to the said claimant.

[No. C3-5(7)/70.]

क्र।० आ० 1807.—यतः भारत सरकार के भूतपूर्व इस्पात, खान और ईंधन मंत्रालय की, कोयला वाले क्षेत्र (अर्जन और विकास) अधिनियम, 1957 (1957 का 20) की धारा 9 के अधीन, अधिसूचना सं० का० नि० आ० 3810, तारीख 23-11-1957 का अनुसरण करते हुए केन्द्रीय सरकार ने जिला हजारीबाग, पुलिस थाना गोमिया के कठारा, बंध, महाली बंध, झिरकी, पलानी, भुरकुरवा टांड और बोरिया ग्रामों में 3283.29 बीघे की (439.56 हेक्टेयर) की भूमियां और 1392.27 बीघे की (186.40 हेक्टेयर) की भूमियों में खनिजों के खनन, खदान क्रिया, बोर करने, खोदने के लिए और तलाश करने, उन्हें प्राप्त करने, खनित करने और ले जाने के अधिकार अर्जित किए हैं ;

और यतः जिला हजारी बाग, पुलिस थाना गोमिया के ग्राम कठारा के बंशीसिंह की पत्नी श्रीमती लालमती कुएर ने जो हितवद्ध व्यक्ति है, उक्त अधिनियम की धारा 13 के अधीन अपनी 1.84 बीघे की (0.25 हेक्टेयर) की भूमियों के, जो इस प्रकार अर्जित भूमि के भाग हैं, अर्जन के लिए प्रतिकारार्थ अपना दावा सक्षम प्राधिकारी को किया है ;

और यतः सक्षम प्राधिकारी द्वारा प्रस्थापित प्रतिकर को उक्त दावेदार ने सविरोध ही स्वीकार किया है और प्रस्थापित प्रतिकर की रकम की पर्याप्तता की बाबत विवाद है ;

अतः अब उक्त अधिनियम की धारा 14 की उपधारा (2) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार उक्त दावेदार की देय प्रतिकर की रकम अवधारित करने के प्रयोजन के लिए एतद्-द्वारा एक अधिकरण गठित करती है जिस में श्री रबनेश्वर प्रसाद सिन्हा, अपर न्यायिक प्रायुक्त, रांची होंगे ।

[सं० कोयला-3-5/7/70]

S.O. 1808.—Whereas in pursuance of the notification of the Government of India in the late Ministry of Steel, Mines and Fuel No. S.R.O. 3810, dated 23rd November 1957, under section 9 of the Coal Bearing Areas (Acquisition and Development) Act, 1957 (20 of 1957), the Central Government has acquired lands measuring 3283.29 bighas (439.58 Hectares) and the rights to mine, quarry, bore, dig and search for, win, work and carry away minerals in the lands measuring 1392.27 bighas (186.40 Hectares) in the Villages Kathara, Bandh, Mahali Bandh, Jhirki, Palani, Bhurkurwa Tand and Borea, P.S. Gomia, District Hazaribagh;

And whereas Shri Leyakat Hussain of village Jhirki, P.S. Gomia, District Hazaribagh the interested person, has under section 13 of the said Act, preferred his claim for compensation for acquisition of his land measuring 16.64 bighas (2.23 Hectares) which form part of the land so acquired to the competent authority;

And whereas the said claimant refused to accept the compensation amount offered by the competent authority, due to its inadequacy and there is a dispute as to the adequacy of the amount of compensation offered;

Now, therefore, in exercise of the powers conferred by sub-section (2) of section 14 of the said Act, the Central Government hereby constitutes a Tribunal consisting of Shri Rabneshwar Prasad Sinha, Additional Judicial Commissioner, Ranchi, for the purpose of determining the amount of compensation payable to the said claimant.

[No. C3-5(7)/70.]

का० आ० 1808.—यतः भारत सरकार के भूतपूर्व इस्पात, खान और ईंधन मंत्रालय की, कोयला वाले क्षेत्र (अर्जन और विकास) अधिनियम, 1957 (1957 का 20) की धारा 9 के अधीन, अधिसूचना सं० का० नि० आ० 3810, तारीख 23-11-1957 का अनुसरण करते हुए केन्द्रीय सरकार ने जिला हजारी बाग, पुलिस थाना गोमिया के कठारा, बंध, महाली बंध, झिरकी, पलानी, भुरकुरवा टांड और बोरिया ग्रामों में 3283.29 बीघे (439.58 हेक्टेयर) की भूमियां और 1392.27 बीघे (186.40 हेक्टेयर) की भूमियों में खनिजों के खनन, खुदान प्रिया, बोर करने, खोदने के लिए और उनकी तलाश करने, उन्हें प्राप्त करने, खनित करने और ले जाने के अधिकार अर्जित किए हैं ;

और यतः जिला हजारीबाग, पुलिस थाना गोमिया के झिरकी ग्राम के श्री लिमाकन हुसैन ने, जो हितवद्ध व्यक्ति है, उक्त अधिनियम की धारा 13 के अधीन अपनी 16.64 बीघे (2.23 हेक्टेयर) की भूमियों के, जो इस प्रकार अर्जित भूमि का भाग है अर्जन के लिए प्रतिकरायी अपना दावा सक्षम प्राधिकारी को किया है ;

और यतः उक्त दावेदार ने सक्षम प्राधिकारी द्वारा प्रस्थापित प्रतिस्तर की रकम को, उसकी अपर्याप्तता के कारण स्वीकार करने से इंकार कर दिया है और प्रस्थापित प्रतिस्तर की रकम की पर्याप्तता की वाद विवाद है ;

यतः अब उक्त अधिनियम की धारा 14 की उपधारा (2) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार उक्त दावेदारों को देय प्रतिकर की रकम अवधारित करने के प्रयोजन के लिए एतद्-द्वारा एक अधिकरण गठित करती है जिस में श्री रबनेश्वर प्रसाद सिन्हा, अपर न्यायिक प्राप्युक्त, रांची होंगे ।

[सं० कोयला-3-5/7/70]

S.O. 1809.—Whereas in pursuance of the notification of the Government of India in the late Ministry of Steel, Mines and Fuel No. S.R.O. 3810, dated 23rd November 1957, under section 9 of the Coal Bearing Areas (Acquisition and Development) Act, 1957 (20 of 1957), the Central Government has acquired lands measuring 3283.29 bighas (439.58 Hectares) and the rights to mine, quarry, bore, dig and search for, win, work and carry away minerals in the lands measuring 1392.27 bighas (186.40 Hectares) in villages Kathara, Band, Mahali Bandh, Jhirki, Palani, Bhurkurwa Tand and Borea, P.S. Gomia, District Hazaribagh;

And whereas Sarva Shri Mohinuddin, Abdul Sattar, Abdul Kalam, Rustom, Ser Mohammad, Jabbar, Janu Mian, Subhani, Hakimuddin, Tazuddin, Rabiuddin, Akhtar, Fadoli Mian, Hafiz Mohammad Hanif, Samsuddin, Neyamat Mian, Nasirulla, Milad Hussain, Habibulla, Azizulla, Sabirulla, Kalimulla, Sarifulla, Salamat, Azimuddin and Rahman of village Kathara, Tola Asnapani, P.S. Gomla, District Hazaribagh, the interested persons, have under section 13 of the said Act, preferred their claims for compensation for acquisition of their lands measuring 31.37 bighas (4.20 hectares) which form part of the and so acquired to the competent authority;

And whereas the compensation offered by the competent authority has been accepted by the said claimants only under protest and there is a dispute as to the sufficiency of the amount of compensation offered;

Now, therefore, in exercise of the powers conferred by sub-section (2) of Section 14 of the said Act, the Central Government hereby constitutes a Tribunal consisting of Shri Rabneshwar Prasad Sinha, Additional Judicial Commissioner, Ranchi, for the purpose of determining the amount of compensation payable to the said claimants.

[No. C3-5(7)/70.]

K. SUBRAHMANYAN, Under Secy.

का० आ० 1809.—यतः भारत सरकार के भूतपूर्व इस्पत, खान और ईधन मंत्रालय की कोयला वाले क्षेत्र (अर्जन और विकास) अधिनियम, 1957 (1957 का 20) की धारा 9 के अधीन, अधिसूचना सं० का० नि० आ० 3810, तारीख 23-11-1958 का अनुसरण करते हुए केन्द्रीय सरकार ने जिला हजारीबाग, पुलिस थाना गोमिया के कठारा बंध, महाली बंध, शिरकी, पलानी, भुरकुरबा, टांड और बोरिया ग्रामों में 3283.29 बीघे (439.58 हेक्टेयर) की भूमिया और 1392.27 बीघे (186.40 हेक्टेयर) की क्षेत्रफल की भूमियों में खनिजों के खदान क्रिया, बोर करने खादने के लिये और उनकी तलाश करने, उन्हें प्राप्त करने खनित करने और ले जाने के अधिकार अर्जित किए हैं।

और यतः जिला हजारीबाग, पुलिस थाना गोमिया, टोला असनापानी, ग्राम कठारा के सर्वश्री मोहिनूद्दीन, अब्दुल सतार, अब्दुल कलाम, रस्तम, शेर मुहम्मद, जम्बार, जानु मिया, सुधानी, हकी-मुद्दीन, ताजुद्दीन, रबीउद्दीन, अखतर, फदोली मिया, हाफिज मुहम्मद हकीफ, समसुद्दीन, नियामत मिया, नासिरुल्ला, मिलाद हुसैन, हबीबुल्ला, इजीजुल्ला, मबीकुल्ला, कलीमुल्ला, सरीफुल्ला सलामत, अजीमुद्दीन और रहमान ने जो हितबद्ध व्यक्ति हैं, उक्त अधिनियम की धारा 13 के अधीन अपनी 31.37 बीघे (4.20 हेक्टेयर) की भूमियों के, जो इस प्रकार अर्जित भूमि का भाग है अर्जन के लिये प्रतिकार, अपने दावे सक्षम प्राधिकारी को किए हैं।

और यतः सक्षम प्राधिकारी द्वारा प्रस्थापित प्रतिकर को उक्त दावेदारों ने सविरोध ही स्वीकार किया है और प्रस्थापित प्रतिकर की रकम की पर्याप्तता की बाबत विवाद है;

अतः अब अधिनियम की धारा 14 की उपधारा (2) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार उक्त दावेदारों को देय प्रतिकर की रकम अवधारित करने के प्रयोजन के लिये एतद्वारा एक अधिवर्णनित करती है जिसमें श्री रबनेश्वर प्रसाद सिन्हा, अपर न्यायिक आयुक्त लगे हों।

[सं० को० ला०-3—5(7)/70]

क० सुब्रह्मण्यन, प्रवर सचिव।

(Department of Mines & Metals)

ORDER

New Delhi, the 1st May 1970

S.O. 1810.—In exercise of the powers conferred by the proviso to clause (a) of sub-section (1) of section 8 of the Coal Mines (Conservation and Safety) Act, 1952 (12 of 1952), the Central Government hereby exempts raw coal despatched to washeries in India, for the purpose of beneficiation, from the levy of the duty of excise referred to in the said clause.

[No. C5-7(2)/64-C4.]

V. K. HARURAY, Under Secy.

MINISTRY OF SHIPPING AND TRANSPORT

(Transport Wing)

New Delhi, the 29th April 1970

S.O. 1811.—In exercise of the powers conferred by sub-section (1) of section 15 of the Merchant Shipping Act, 1958 (44 of 1958), read with rules 3 and 7 of the Shipping Development Fund Committee (General) Rules, 1960, the Central Government hereby appoints Shri P. K. Bose, Solicitor to the Government of India, Ministry of Law, as a member of the Shipping Development Fund Committee, with effect from the 3rd April, 1970, *vice* Shri S. Balakrishnan, and makes the following further amendment in the notification of the Government of India in the late Ministry of Transport and Communications (Department of Transport) (Transport Wing), No. 33-MS(222)/58-II, dated the 17th March, 1969, namely:—

In the said notification, for serial No. 5 and the entries relating thereto, the following shall be substituted, namely:—

“5 Shri P. K. Bose,
Solicitor to the Government of India,
Ministry of Law.

3-4-1970”

[No. 35-MD(25)/69.]

JASWANT SINGH, Under Secy.

जहाजरानी और परिवहन मंत्रालय

(परिवहन स्कंध)

नई दिल्ली, 29 अप्रैल 1970

क्र० प्र० 1811.—पोत परिवहन विकास निधि समिति (साधारण) नियम, 1960 के नियम 3 और 7 के साथ पठित वाणिज्य पोत परिवहन अधिनियम, 1958 (1958 का 44) की धारा 15 की उपधारा (1) द्वारा प्रदत्त शक्ति का प्रयोग करते हुए केन्द्रीय सरकार एतद्वारा श्री पी० के० बोस, भारत सरकार के सोलोसिटर, विधि मंत्रालय को श्री एस० बालकृष्णन के स्थान पर पोत परिवहन विकास निधि समिति के सदस्य के रूप में 3 अप्रैल 1970 से नियुक्त करती है और भारत

सरकार के भूतपूर्व परिवहन और संचार मंत्रालय (परिवहन विभाग) (परिवहन स्कंध) की अधिसूचना सं० 33-एम०एस० (222)/58-II, तारीख 17 मार्च, 1969 में और प्रागे निम्नलिखित संशोधन करती है, अर्थात् :—

उक्त अधिसूचना में, क्रम सं० 5 और उससे संबंधित प्रविष्टियों के स्थान पर निम्नलिखित प्रतिस्थापित किया जाएगा, अर्थात् :—

“5. श्री पी० के० बोस,

सोलिसिटर, भारत सरकार,

3-4-70.”

वधि मंत्रालय ।

[सं० 35-एमडी (25)/69]

जसवंत सिंह, अधीक्षक सचिव ।

(Transport Wing)

New Delhi, the 13th May 1970

S.O. 1812.—The following draft rules further to amend the Motor Vehicles (Third Party Insurance) Rules, 1946, which the Central Government proposes to make in exercise of the powers conferred by section 111 of the Motor Vehicles Act, 1939 (4 of 1939) is published as required by section 133 of the said Act, for the information of persons likely to be affected thereby, and notice is hereby given that the said draft will be taken into consideration on or after 30th May, 1970 together with any objection or suggestions that may be received in respect thereof before the date specified:—

Draft Rules

THE MOTOR VEHICLES (THIRD PARTY INSURANCE) (AMENDMENT) RULES, 1970

1. These rules may be called the Motor Vehicles (Third Party Insurance) (Amendment) Rules, 1970.

2. In the Motor Vehicles (Third Party Insurance) Rules, 1946 (hereinafter referred to as the said Rules), after rule 6, the following rules shall be inserted, namely:—

“6A. Application for transfer of certificate of insurance and policy

A person who proposes to transfer to another person the ownership of a motor vehicle together with the policy of insurance relating thereto, may apply to the insurer who has issued the certificate of insurance in respect of such vehicle in form AA set out in the Schedule to these rules for the transfer of such certificate and the policy described therein in favour of the person to whom the motor vehicle is proposed to be transferred.”

3. After Form A of the Schedule to the said Rules, the following form shall be inserted, namely:—

“FORM AA

(See rule 6A)

MOTOR VEHICLES ACT, 1939

Application for transfer of certificate of insurance and policy

I/We propose to transfer the motor vehicle registered under No. _____ in the name of Shri _____ (Address) _____ and I/We hereby apply in terms of section 103A of the Motor Vehicles Act, 1939 for the

transfer of the certificate of insurance No. _____ and the policy relating thereto bearing No. _____ issued by you in respect of the said motor vehicle in favour of the said Shri _____ with effect from _____

[No. 39-TAG(11)/70.]

K. C. JOSHI, Dy. Secy.

MINISTRY OF FOREIGN TRADE

CARDAMOM CONTROL

New Delhi, the 8th May 1970

S.O. 1813.—Shri K. V. George, Director of Cardamom Development, Cardamom Board, Ernakulam, is granted earned leave for sixty days with effect from the 8th April, 1970.

[No. F.29(36)Plant(B)/70.]

M. L. GUPTA, Under Secy.

(Office of the Joint Chief Controller of Imports and Exports)

(Central Licensing Area)

CANCELLATION ORDERS

New Delhi, the 24th March 1970

S.O. 1814.—M/s. Sherif & Co., Shop No. 2, R. C. Building, Dilmankar Road, Bombay-8 were granted import licence No. P/U/2602260/C dated 7th October, 1969 for Rs. 16,920. They have applied for duplicate Exchange Control Purposes Copy of the licence on the ground that original Exchange Control Purposes Copy thereof has been misplaced without having been utilised at all.

In support of this contention the applicant has filed an affidavit. I am satisfied that the original Exchange Control Purposes Copy of the licence No. P/U/2602260/C dated 7th October, 1969 has been misplaced and direct that duplicate Exchange Control Purposes Copy of the licence should be issued to the applicant. The original Exchange Control Purposes Copy is cancelled.

[No. Leather/6/JM-69/SC-V/CLA.]

S.O. 1815.—M/s. Standard Foot Wear Co., 79, Desh Bandhu Gupta Market, Karol Bagh, New Delhi-5 were granted import licence No. P/L/2601657/C dated 17th September, 1969 for Rs. 1450 for import of Natural Sponges and other items as per list attached with licence. They have applied for duplicate Customs Purposes Copy of the licence on the ground that the original Customs Purposes Copy thereof has been misplaced without having been registered with any customs authorities and without having been utilised at all.

In support of this contention the applicant has filed an affidavit. I am satisfied that the original Customs Purposes Copy of the licence No. P/L/2601657/C dated 17th September, 1969 has been misplaced and direct that duplicate Customs Purposes copy of the licence should be issued to the applicant. The original Customs Purposes Copy of the licence is cancelled.

[No. F. Leather/6/JM-69/SC-V.]

S.O. 1816.—M/s. Friends Footwear, F-27, Desh Bandhu Gupta Market, Karol Bagh, New Delhi-5 were granted import licence No. P/L/2601663/C dated 17th September, 1969 for Rs. 21,824 for the import of Natural Sponges and other items as per list attached with licence. They have applied for duplicate Customs Purposes Copy of the licence on the ground that the original Customs Purposes Copy thereof has been misplaced without having been registered with any customs authorities and without having been utilised at all.

In support of this contention the applicant has filed an affidavit. I am satisfied that the original Customs Purposes Copy of the licence No. P/L/2601663/C

dated 17th September, 1969 has been misplaced and direct that duplicate Customs Purposes Copy of the licence should be issued to the applicant. The original Customs Purposes Copy of the licence is cancelled.

[Pft. F. No. Leather/6/JM-69/SC-V/CLA.]

RAM MURTI SHARMA,
Joint Chief Controller of Imports & Exports.

(Office of the Joint Chief Controller of Imports and Exports)

(Central Licensing Area)

CANCELLATION ORDERS

New Delhi, the 2nd May 1970

S.O. 1817.—M/s. B. Shahab-Ud-Din & Co., Sadar Bazar, Delhi were granted import licence No P/K/1296620/C dated 24th August, 1968 for Rs. 63,471. They have applied for duplicate Exchange Control Purposes copy of the licence on the ground that original Exchange Control Purposes Copy thereof has been misplaced. after have been utilised upto Rs. 20,402 only.

In support of this contention the applicant has filed an affidavit. I am satisfied that the original Exchange Control Purposes Copy of the licence No. P/K/1296620/C dated 24th August, 1968 has been misplaced and direct that duplicate Exchange Control Purposes Copy of the licence should be issued to the applicant, for the balance amount of Rs. 43,069. The original Exchange Control Purposes copy is cancelled.

[No. F. Leather/6/AJ-68/SC-V/CLA.]

S.O. 1818.—M/s. B. Shahab-Ud-Din & Co., Sadar Bazar, Delhi were granted import licence No. P/K/1296619/C dated 23rd August, 1968 for Rs. 61,402. They have applied for duplicate Customs Purposes copy of licence on the ground that original Custom Purposes copy thereof has been misplaced after having been registered with Bombay Custom House, Bombay and utilised upto Rs. 37398.

In support of this contention the applicant has filed an affidavit. I am satisfied that the original Custom Purposes copy of the licence No. P/K/1296619/C dated 23rd August, 1968 has been misplaced and direct that duplicate Customs Purposes copy of the licence should be issued to the applicant for the balance amount of Rs. 24,004. The original Custom Purposes copy is cancelled.

[No. F. Leather/23/JM-68/SC-V/CLA.]

New Delhi, the 4th May 1970

S.O. 1819.—M/s. B. Shahab-Ud-Din & Co., Sadar Bazar, Delhi were granted import licence No. P/K/1296618/C dated 23rd August 1968 for Rs. 85,481. They have applied for duplicate Exchange Control Purposes Copy of the licence on the ground that original Exchange Control Purposes copy thereof has been misplaced after having been utilised upto Rs. 34,396 only.

In support of this contention the applicant has filed an affidavit. I am satisfied that the original Exchange Control Purposes copy of the licence No. P/K/1296618 dated 23rd August 1968 has been misplaced and direct that duplicate Exchange Control Purposes Copy of the licence should be issued to the applicant, for the balance amount of Rs. 51,085. The original Exchange Control Purposes copy is cancelled.

[No. F. Leather/7/JS-67/SC-V/CLA.]

D. S. MORKRIMA,
Dy. Chief Controller of Imports & Exports

(Office of the Joint Chief Controller of Imports and Exports)

ORDER

Calcutta, the 2nd May 1970

S.O. 1820.—A licence No. P/S/1650088/C/XX/33/C/29-30 dated 20th November 1969 of the value of Rs. 5,000 for import of C.A. Flacks, Cellulose Nitrate Sheets and

Cast Phenolic Resinoids Tubes was issued to M/s. Bhaskar Bangles Industries, 42A, Raja Dinendra Street, Calcutta-9 subject to the condition as under:—

“that the goods shall be utilised only in your own factory and no portion thereof will be sold & permitted to be used in any other manner”.

2. Thereafter, a show cause notice No. 49/70/E&L dated 31st March 1970 was issued asking them to show cause within 15 days as to why the said licence in their favour should not be cancelled on the ground that the purpose for which the licence was issued would not be served in terms of Clause 9, sub-clause (cc).

3. The above show cause notice addressed to M/s. Bhaskar Bangles Industries, 42A, Raja Dinendra Street, Calcutta-9, was returned undelivered by the Postal Authorities with the remarks ‘left’.

4. Having regard to what has been stated in the preceding paragraph, the undersigned is satisfied that the licence in question should be cancelled or otherwise rendered ineffective. Therefore, the undersigned, in exercise of the powers vested in him under Clause 9 sub-clause (cc) of the Imports (Control) Order, 1955 hereby cancel the licence No. P/S/1650088/C/XX/33/C/29-30 dated 20th November 1969 for Rs. 5,000 issued in favour of M/s. Bhaskar Bangles Industries, 42A, Raja Dinendra Street, Calcutta-9.

[No. 49/70/E&L.]

T. T. LA,

Dy. Chief Controller of Imports & Exports.

(Office of the Jt. Chief Controller of Imports and Exports)

(Iron and Steel Division)

ORDER

New Delhi, the 4th May 1970

S.O. 1821.—M/s. Metal Scrap Trade Corporation Ltd., P-34, India Exchange Place, Calcutta-1 were granted an export licence No. I&E/III/EXP/303/F.Scrap/69-70 dated 5th February 1970 for export of Iron and Steel Scrap—Cast Iron Borings for a quantity of 1050 M/T. to Japan (YOKOHAMA) and subsequently added OSAKA for shipment from Bombay Port along with a letter of authority No. I&E/III/E/12/69-70/202/M.S.T.C./F.Scrap dated 5th February 1970 to M/s. Nathani Steel Yard, Adjoining Vidya Vinay Rly. Station, Bombay-86 (AS). Now the said Metal Scrap Trade Corporation Ltd., Calcutta have applied for a duplicate copy of the above export licence and also of the said letter of authority on the ground that the original export licence along with the relevant letter of authority has been lost. It has further been stated that the export licence in question has been utilised partially to the extent of 500 M/T.

In support of their contention the applicant have filed an affidavit dated 21st April, 1970. I am satisfied that the original export licence No. I&E/III/EXP/303/F.Scrap/69-70 dated 5th February, 1970 along with its relevant letter of authority No. I&E/III/E/12/69-70/202/M.S.T.C./F.Scrap, dated 5th February, 1970 have been lost and direct that a duplicate copy thereof along with a duplicate copy of its relevant letter of authority should be issued to the applicant to cover the unutilised balance of 550 M/T of Iron & Steel Scrap Cast Iron Borings. The above noted original export licence along with its relevant letter of authority is, therefore, cancelled to the extent of partly utilised quantity of 500 M/T.

[No. I&E/III/E/12/69-70/202/F.Scrap/M.S.T.C.]

J. MUKHERJI,

Dy. Chief Controller of Imports & Exports.

(Office of the Chief Controller of Imports and Exports)

ORDER

New Delhi, the 12th May 1970

S.O. 1822.—Mrs. Kaushalya Govindram Malwani, 6, Ishwar Bhavan, ‘A’ Road, Churchgate, Bombay-20-BR, who was granted Custom Clearance Permit No. P/J/2370098/N/MP/34/H/29-30 dated 4th February, 1970 for Rs. 25,000/- for import of

a Mercedes Benz 200 car has applied for a duplicate copy of the Custom clearance permit as the original Customs Clearance Permit has been lost. It is further stated that the original Custom Clearance Permit was not registered with any Customs House and not utilised.

In support of this contention Mrs. Kaushalya Govindram Malwani, has filed an affidavit. She has undertaken to return the Custom Clearance Permit if traced later to this office for record. I am satisfied that the original Custom Clearance Permit No. P/J/2370098/N/MP/34/H/29-80 dated 4th February, 1970 has been lost and direct that a duplicate Custom Clearance permit should be issued to her. The original Custom Clearance Permit may be treated as cancelled.

[No. F. 2(B-346)/69-70/BLS/616.]

M. G. GOMBAR,

Dy. Chief Controller of Imports & Exports.

MINISTRY OF LABOUR, EMPLOYMENT AND REHABILITATION

(Department of Labour and Employment)

New Delhi, the 1st May 1970

S.O. 1823.—Whereas it appears to the Central Government that the employer and the majority of the employees in relation to the establishment known as Messrs K.G.M.U. Allied Establishment, Multipurpose Co-operative Society Limited, Gorgaum, K.G.F., have agreed that the provisions of the Employees' Provident Funds Act, 1952 (19 of 1952), should be made applicable to the said establishment;

Now, therefore, in exercise of the powers conferred by sub-section (4) of section 1 of the said Act, the Central Government hereby applies the provisions of the said Act to the said establishment.

This notification shall be deemed to have come into force on the first day of October, 1967.

[No. 8/66/70/PF-II(1).]

श्रम, रोजगार और पुनर्वास मंत्रालय

(श्रम और रोजगार विभाग)

नई दिल्ली, 1 मई, 1970

का० प्रा० 1823.—यतः केन्द्रीय सरकार को यह प्रतीत होता है कि मेसर्स के० जी० एम० यू० एलाइड एस्टेब्लिशमेन्ट, मल्टीपरपज कोआपरेटिव सोसाइटी लिमिटेड, गोरगांव, के० जी० एफ० नामक स्थापन से सम्बद्ध नियोजक और कर्मचारियों की बहुसंख्या इस बात पर सहमत हो गई है कि कर्मचारी भविष्य निधि अधिनियम, 1952 (1952 का 19) के उपबन्ध उक्त स्थापन को लागू किए जाने चाहिए ;

अतः, अब, उक्त अधिनियम की धारा 1 की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार उक्त अधिनियम के उपबन्ध उक्त स्थापन को एतद्द्वारा लागू करती है ।

यह अधिसूचना 1967 के अक्तूबर के प्रथम दिन को प्रवृत्त हुई समझी जाएगी ।

[सं० 8/66/70-पी० एफ० 2(i)]

S.O. 1824.—In exercise of the powers conferred by first proviso to section 6 of the Employees' Provident Funds Act, 1952 (19 of 1952), the Central Government, after making necessary enquiry into the matter, hereby specifies that, with effect from the first day of October, 1967 section 6 of the said Act shall in its application to Messrs K.G.M.U. Allied Establishment, Multipurpose Co-operative Society Limited, Gorgaum, K.G.F., be subject to the modification that for the words "six and a quarter per cent", the words "eight per cent" were substituted.

[No. 8/66/70/PF-II(1).]

का० आ० 1824.—कर्मचारी भविष्य निधि अधिनियम, 1952 (1952 का 19) की धारा 6 के प्रथम परन्तुक द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार इस विषय में आवश्यक जांच कर लेने के पश्चात् एतद्द्वारा यह विनिर्दिष्ट करती है कि उक्त अधिनियम की धारा 6 अन्तर्गत, 1967 के प्रथम दिन से मेसर्स के० जी० एम० यू० एलाइड एस्टेब्लिशमेंट, मल्लीपरपज कोम्प्रापरेटिव सोसाइटी लिमिटेड, गोरगांव, के० जी० एफ० को लागू होने के सम्बन्ध में इस उपांतरण के अध्वधीन होगा कि "सवा छह प्रतिशत" शब्दों के स्थान पर "आठ प्रतिशत" शब्द प्रतिस्थापित किये जाएंगे ।

[सं० 8/66/70-पी० एफ० II (ii)]

S.O. 1825.—Whereas it appears to the Central Government that the employer and the majority of the employees in relation to the establishment known as Messrs Prabhat Mills Company (Private) Limited, Poonithura, Tripunithura, Kanayannor Taluk, Kerala State have agreed that the provisions of the Employees' Provident Funds Act, 1952 (19 of 1952), should be made applicable to the said establishment;

Now, therefore, in exercise of the powers conferred by sub-section (4) of section 1 of the said Act, the Central Government hereby applies the provisions of the said Act to the said establishment.

This notification shall be deemed to have come into force on the first day of August, 1969.

[No. 8/114/69/PF-II.]

का० आ० 1825.—यतः केन्द्रीय सरकार को यह प्रतीत होता है कि मेसर्स प्रभात मिल्स लिमिटेड, पुनिथुरा, त्रिपुनिथुरा, कणयधुर तालुक, केरल राज्य नामक स्थापन से सम्बद्ध नियोजक और कर्मचारियों की बहुसंख्या इस बात पर सहमत हो गई है कि कर्मचारी भविष्य निधि अधिनियम, 1952 (1952 का 19) के उपबन्ध उक्त स्थापन को लागू किए जाने चाहिएं ;

अतः, अब, उक्त अधिनियम की धारा 1 की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार उक्त अधिनियम के उपबन्ध उक्त स्थापन को एतद्द्वारा लागू करती है ।

यह अधिमूचना 1969 के अगस्त के प्रथम दिन को प्रवृत्त हुई सम्झी जाएगी ।

[सं० 8/114/69-भ० नि० 2]

S.O. 1826.—Whereas it appears to the Central Government that the employer and the majority of the employees in relation to the establishment known as Messrs Sri Aruna Automobiles, Subhas Road, Kakinada including branches at Governepet, Vijayawada-2 and Bowdara Road, Visakhapatnam, Andhra Pradesh, have agreed that the provisions of the Employees' Provident Funds Act, 1952 (19 of 1952), should be made applicable to the said establishment;

Now, therefore, in exercise of the powers conferred by sub-section (4) of section 1 of the said Act, the Central Government hereby applies the provisions of the said Act to the said establishment with effect from the 30th April, 1970.

[No. 8/146/69/PF.II(1).]

का० आ० 1826:—यतः केन्द्रीय सरकार को यह प्रतीत होता है कि मेसर्स श्री अरुणा आटोमोबाइल सुभाष रोड, काकीनाडा जिसमें गवर्नरपेट, विजयवाडा-2 और बाउडरा रोड, विशाखापत्तनम, आन्ध्र प्रदेश पर इसकी शाखाएं सम्मिलित हैं नामक स्थापन से सम्बद्ध नियोजक और कर्मचारियों की बहुसंख्या इस बात पर सहमत हो गई है कि कर्मचारी भविष्य निधि अधिनियम, 1952 (1952 का 19) के उपबन्ध उक्त स्थापन को लागू किए जाने चाहिएं ।

अतः अब, उक्त अधिनियम की धारा 1 की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार उक्त अधिनियम के उपबन्ध उक्त स्थापन पर 30 अप्रैल, 1970 से एतद्वारा लागू करती है ।

[सं० 8/146/68-भ० नि० II (i)]

S.O. 1827.—In exercise of the powers conferred by first proviso to section 6 of the Employees' Provident Funds Act, 1952 (19 of 1952), the Central Government, after making necessary enquiry into the matter, hereby specifies that, with effect from the 30th April, 1970 section 6 of the said Act shall in its application to Messrs Sri Aruna Automobiles, Subhas Road, Kakinda including branches at Governerpet, Vijayawada-2 and Bowdara Road, Visakhapatnam, Andhra Pradesh, be subject to the modification that for the words "six and a quarter per cent", the words "eight per cent" were substituted.

[No. 8/146/69-PF.II(II).]

क्र० आ० 1827.—कर्मचारी भविष्य निधि अधिनियम, 1952 (1952 का 19) की धारा 6 के प्रथम परन्तुक द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार इस विषय में आवश्यक जांच कर लेने के पश्चात् एतद्वारा यह विनिर्दिष्ट करती है कि उक्त अधिनियम की धारा 6 तीस अप्रैल 1970 से मेसर्स श्री अरुणा आटोमोबाइल सुभाष रोड, काकीनाडा, जिसमें गवर्नरपेट, विजयवाडा-2 और बाउडरा रोड, विशाखापत्तनम, आन्ध्र प्रदेश पर इसकी शाखाएं सम्मिलित हैं को लागू होने के सम्बन्ध में इस उपातरण के अध्यधीन होगी कि "सवा छह प्रतिशत" शब्दों के स्थान पर "आठ प्रतिशत" शब्द प्रतिस्थापित किए जाएं ।

[सं० 8/146/69-पी० एफ० (i)]

S.O. 1828.—Whereas it appears to the Central Government that the employer and the majority of the employees in relation to the establishment known as Messrs Nandi Printers Private Limited, 54/27, Khadu Sheriff Gardens, Bangalore-27 have agreed that the provisions of the Employees' Provident Funds Act, 1952 (19 of 1952), should be made applicable to the said establishment;

Now, therefore, in exercise of the powers conferred by sub-section (4) of section 1 of the said Act, the Central Government hereby applies the provisions of the said Act to the said establishment.

This Notification shall be deemed to have come into force on the first day of October, 1969.

[No. 8/53/70/PF.II(1).]

क्र० आ० 1828.—यतः केन्द्रीय सरकार को यह प्रतीत होता है कि मेसर्स नन्दी प्रिंटेर्स प्राइवेट लि०, 54/27, खादुशेरीफ गार्डेंस, बेंगलूर-27 नामक स्थापन से सम्बद्ध नियोजक और कर्मचारियों की बहुसंख्या इस बात पर सहमत हो गई है कि कर्मचारी भविष्य निधि अधिनियम, 1952 (1952 का 19) के उपबन्ध उक्त स्थापन को लागू किए जाने चाहिए ;

अतः अब, उक्त अधिनियम की धारा 1 की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार उक्त अधिनियम के उपबन्ध उक्त स्थापन को एतद्वारा लागू करती है ।

यह अधिसूचना 1969 के अक्तूबर के प्रथम दिन को प्रवृत्त हुई समझी जाएगी ।

[सं० 8/53/70-पी० एफ० II (i)]

S.O. 1829.—In exercise of the powers conferred by first proviso to section 6 of the Employees' Provident Funds Act, 1952 (19 of 1952), the Central Government, after making necessary enquiry into the matter, hereby specifies that, with effect from the 1st October, 1969 section 6 of the said Act shall in its application to Messrs Nandi Printers Private Limited 54/27, Khadu Sheriff Gardens, Bangalore-27 be subject to the modification that for the words "six and a quarter per cent", the words "eight per cent" were substituted.

[No. 8/53/70-PF.II(II).]

का० प्रा० 1829.—कर्मचारी भविष्य निधि अधिनियम, 1952 (1952 का 19) की धारा 6 के प्रथम परन्तुक द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार इस विषय में आवश्यक जांच कर लेने के पश्चात् एतद्वारा यह विनिर्दिष्ट करती है कि उक्त अधिनियम की धारा 6 प्रथम अक्टूबर, 1969 से मेसर्स नन्दी प्रिंटर्स प्राइवेट लिमिटेड, 54/27 खादु शेंरीफ गार्डन्स, बैंगलूर/27 को लागू होने के सम्बन्ध में इस उपातरण के अध्वधीन होगी कि "सवा छह प्रतिशत" शब्दों के स्थान पर "आठ प्रतिशत" शब्द प्रतिस्थापित किए जाय ।

[सं० 8/53/70-पी० एफ० 2(ii)]

S.O. 1830.—Whereas it appears to the Central Government that the employer and the majority of the employees in relation to the establishment known as Messrs Raman and Company, Park Road, Irinjala Kuda, Kerala State, have agreed that the provisions of the Employees' Provident Funds Act, 1952 (19 of 1952), should be made applicable to the said establishment;

Now, therefore, in exercise of the powers conferred by sub-section (4) of section 1 of the said Act, the Central Government hereby applies the provisions of the said Act to the said establishment.

This Notification shall be deemed to have come into force on the 31st day of May, 1970.

[No. 8/38/70-PF.II(1).]

का० प्रा० 1830.—यतः केन्द्रीय सरकार को यह प्रतीत होता है कि मेसर्स रमन एण्ड कम्पनी पार्क रोड, इरिंजल कुडा, केरल राज्य नामक स्थापन से सम्बन्ध नियोजक और कर्मचारियों की बहुसंख्या इस बात पर सहमत हो गई है कि कर्मचारी भविष्य निधि अधिनियम, 1952 (1952 का 19) के उपबन्ध उक्त स्थापन को लागू किए जाने चाहिए ;

अतः, अब, उक्त अधिनियम की धारा 1 की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार उक्त अधिनियम के उपबन्ध उक्त स्थापन को एतद्वारा लागू करती है ।

यह अधिसूचना इकत्तीस मई, 1970 को प्रवृत्त होगी ।

[सं० 8/38/70-भ० नि० 2 (i)]

S.O. 1831.—In exercise of the powers conferred by first proviso to section 6 of the Employees' Provident Funds Act, 1952 (19 of 1952), the Central Government, after making necessary enquiry into the matter, hereby specifies that, with effect from the 31st May, 1970 section 6 of the said Act shall in its application to Messrs Raman and Company, Park Road, Irinjalakuda, Kerala State be subject to the modification that for the words "six and a quarter per cent", the words "eight per cent" were substituted.

[No. 8/38/70-PF.II(11).]

का० प्रा० 1831.—कर्मचारी भविष्य निधि अधिनियम, 1952 (1952 का 19) की धारा 6 के प्रथम परन्तुक द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार इस विषय में आवश्यक जांच कर लेने के पश्चात् एतद्वारा यह विनिर्दिष्ट करती है कि उक्त अधिनियम की धारा 6 इकत्तीस मई, 1970 से मेसर्स रमन एण्ड कम्पनी, पार्क रोड, इरिंजल कुडा, केरल राज्य को लागू होने के सम्बन्ध में इस उपातरण के अध्वधीन होगी कि "सवा छह प्रतिशत" शब्दों के स्थान पर "आठ प्रतिशत" शब्द प्रतिस्थापित किए जाए ।

[सं० 8/38/70-पी० एफ० 2 (ii)]

S.O. 1832.—Whereas it appears to the Central Government that the employer and the majority of the employees in relation to the establishment known as Messrs Sree Vijaya Large Size Multipurpose Co-operative Society Limited, Sandur have agreed that the provisions of the Employees' Provident Funds Act, 1952 (19 of 1952), should be made applicable to the said establishment;

Now, therefore, in exercise of the powers conferred by sub-section (4) of section 1 of the said Act, the Central Government hereby applies the provisions of the said Act to the said establishment.

This Notification shall be deemed to have come into force on the first day of October, 1969.

[No. 8/52/70/PF.II.]

क्र० प्रा० 1832:—यतः केन्द्रीय सरकार को यह प्रतीत होता है कि मेसर्स श्री विजय लार्ज साइज मल्टीपरपज कोऑपरेटिव सोसायटी, सांदूर नामक स्थापन से सम्बद्ध नियोजक और कर्मचारियों की बहुसंख्या इस बात पर सहमत हो गई है कि कर्मचारी भविष्य निधि अधिनियम, 1952 (1952 का 19) के उपबन्ध उक्त स्थापन को लागू किए जाने चाहिए ;

अतः, अब, उक्त अधिनियम की धारा 1 की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार उक्त अधिनियम के उपबन्ध उक्त स्थापन को एतद्वारा लागू करती है ।

यह अधिसूचना 1969 के अक्टूबर के प्रथम दिन को प्रवृत्त हुई समझी जाएगी ।

[सं० 8/52/70-पी० एफ० 2]

S.O. 1833.—Whereas it appears to the Central Government that the employer and the majority of the employees in relation to the establishment known as Messrs India Calculators Company, 14, Judge Jumbulinga Mudalliar Road, Madras-4 have agreed that the provisions of the Employees' Provident Funds Act, 1952 (19 of 1952), should be made applicable to the said establishment;

Now, therefore, in exercise of the powers conferred by sub-section (4) of section 1 of the said Act, the Central Government hereby applies the provisions of the said Act to the said establishment.

This Notification shall be deemed to have come into force on the first day of November, 1969.

[No. 8/64/70/PF-II(i).]

क्र० प्रा० 1833.—यतः केन्द्रीय सरकार को प्रतीत होता है कि मेसर्स इण्डिया कैल्कुलेट कम्पनी, 14 जज जुम्बुलिंग मुदलियर रोड मद्रास-4 नामक स्थापन से सम्बद्ध नियोजक और कर्मचारियों की बहुसंख्या इस बात पर सहमत हो गई है कि कर्मचारी भविष्य निधि अधिनियम, 1952 (1952 का 19) के उपबन्ध उक्त स्थापन को लागू किए जाने चाहिए ;

अतः, अब, उक्त अधिनियम की धारा 1 की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार उक्त अधिनियम के उपबन्ध उक्त स्थापना को एतद्वारा लागू करती है ।

यह अधिसूचना 1969 के नवम्बर के प्रथम दिन को प्रवृत्त हुई समझी जाएगी ।

[सं० 8/64/70-पी० एफ० 2(i)]

S.O. 1834.—In exercise of the powers conferred by first proviso to section 6 of the Employees' Provident Funds Act, 1952 (19 of 1952), the Central Government, after making necessary enquiry into the matter, hereby specifies that, with effect from the 1st November, 1969 section 6 of the said Act shall in its application to Messrs India Calculators Company, 14, Judge Jumbulinga Mudalliar Road, Madras-4 be subject to the modification that for the words "six and a quarter per cent", the words "eight per cent" were substituted.

[No. 8/64/70/PF-II(ii).]

का० आ० 1834.—कर्मचारी भविष्य निधि अधिनियम, 1952 (1952 का 19) की धारा 6 के प्रथम परन्तुक द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार इस विषय में आवश्यक जांच कर लेने के पश्चात् एतद्द्वारा यह विनिर्दिष्ट करती है कि उक्त अधिनियम की धारा 6 प्रथम नवम्बर, 1969 से मैसर्स इन्डिया केलकुलेटर्स कम्पनी, 14 जज जुम्बुलिंग मुदलियर रोड, मद्रास-4, को लागू होने के सम्बन्ध में इस उपांतरण के अध्याधीन होगी कि “सवा छह प्रतिशत” शब्दों के स्थान पर “आठ प्रतिशत” शब्द प्रतिस्थापित किए जायें।

[मं० 8/64/70-पी०एफ० 2(ii)]

S.O. 1835.—Whereas it appears to the Central Government that the employer and the majority of the employees in relation to the establishment known as Messrs Palampur Dhar Transport Co-operative Society Limited, Palampur have agreed that the provisions of the Employees' Provident Funds Act, 1952 (19 of 1952), should be made applicable to the said establishment;

Now, therefore, in exercise of the powers conferred by sub-section (4) of section 1 of the said Act, the Central Government hereby applies the provisions of the said Act to the said establishment.

This notification shall be deemed to have come into force on the first day of July, 1969.

[No. 8/56/70/PF-II.]

का० आ० 1835.—यतः केन्द्रीय सरकार को यह प्रतीत होता है कि मैसर्स पालमपुर धार ट्रान्स्पॉर्ट कोऑपरेटिव सोसाइटी लिमिटेड, पालमपुर नामक स्थापन में सम्बद्ध नियोजक और कर्मचारियों की बहुसंख्या इस बात पर सहमत हो गई है कि कर्मचारी भविष्य निधि अधिनियम, 1952 (1952 का 19) के उपबन्ध उक्त स्थापन को लागू किए जाने चाहिए ;

इतः, अब उक्त अधिनियम की धारा 1 की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार उक्त अधिनियम उपबन्ध उक्त स्थापन को एतद्द्वारा लागू करती है।

यह अधिसूचना 1969 की जुलाई के प्रथम दिन को प्रवृत्त हुई समझी जाएगी।

[मं० 8/56/70-पी०एफ० 2]

S.O. 1836.—Whereas it appears to the Central Government that the employer and the majority of the employees in relation to the establishment known as Messrs Sinclair Freight and Chartering Consultants Private Limited, 7, Wellesley Place, Calcutta-1 including its branches at Bombay and New Delhi have agreed that the provisions of the Employees' Provident Funds Act, 1952 (19 of 1952), should be made applicable to the said establishment;

Now, therefore, in exercise of the powers conferred by sub-section (4) of section 1 of the said Act, the Central Government hereby applies the provisions of the said Act to the said establishment.

This notification shall be deemed to have come into force on the first day of May, 1969.

[No. 8(20)/70-PF.II.]

का० आ० 1836.—यतः केन्द्रीय सरकार को यह प्रतीत होता है कि मैसर्स सिनक्लेयर फ्रीट एंड चार्टरिंग कन्सल्टंट्स प्राइवेट लिमिटेड, 7, वेल्लेजली प्लेस, कलकत्ता-1 जिसमें इसकी मुंबई और ई दिल्ली की शाखाएँ सम्मिलित हैं नामक स्थापन में सम्बद्ध नियोजक और कर्मचारियों की बहुसंख्या इस बात पर सहमत हो गई है कि कर्मचारी भविष्य निधि अधिनियम, 1952 (1952 का 19) के उपबन्ध उक्त स्थापन को लागू किए जाने चाहिए ;

अतः अब, उक्त अधिनियम की धारा 1 की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग कर ते हुए केन्द्रीय सरकार उक्त अधिनियम के उपबन्ध उक्त स्थापन को एतद्वारा लागू करती है।

यह अधिसूचना, 1969 की मई के प्रथम दिन को प्रवृत्त हुई समझी जाएगी।

[सं० 8/20/70-भ०नि० 2]

S.O. 1837.—Whereas it appears to the Central Government that the employer and the majority of the employees in relation to the establishment known as Messrs. Ambitious Enterprises, H-2, Model Town, Delhi-9 have agreed that the provisions of the Employees' Provident Funds Act, 1952 (19 of 1952), should be made applicable to the said establishment;

Now, therefore, in exercise of the powers conferred by sub-section (4) of section 1 of the said Act, the Central Government hereby applies the provisions of the said Act to the said establishment.

This notification shall be deemed to have come into force on the Nineteenth day of September, 1967.

[No. 8/137/69/PF.II(1).]

का० आ० 1837.—यतः केन्द्रीय सरकार को यह प्रतीत होता है कि मैसर्स ऐम्बीशस एन्टरप्राइजेज, एच-2, माडल टाउन, दिल्ली-9 नाम स्थापन से सम्बद्ध नियोजक और कर्मचारियों की बहुसंख्या इस बात पर सहमत हो गई है कि कर्मचारी भविष्य निधि अधिनियम, 1952 (1952 का 19) के उपबन्ध उक्त स्थापन को लागू किए जाने चाहिए;

अतः, अब, उक्त अधिनियम की धारा 1 की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार उक्त अधिनियम के उपबन्ध उक्त स्थापन को एतद्वारा लागू करती है।

यह अधिसूचना 1967 के सितम्बर के उन्नीसवें दिन को प्रवृत्त हुई समझी जाएगी।

[सं० 8/137/69-म० नि० II(i)]

S.O. 1838.—In exercise of the powers conferred by first proviso to section 6 of the Employees' Provident Funds Act, 1952 (19 of 1952), the Central Government, after making necessary enquiry into the matter, hereby specifies that, with effect from the Nineteenth September, 1967 section 6 of the said Act shall in its application to M/s. Ambitious Enterprises, H-2, Model Town, Delhi-9 be subject to the modification that for the words "six and a quarter per cent," the words "eight per cent" were substituted.

[No. 8/137/69-PF.II(ii).]

का० आ० 1838.—कर्मचारी भविष्य निधि अधिनियम, 1952 (1952 का 19) की धारा 6 के प्रथम परन्तुक द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार इस विषय में आवश्यक जांच कर लेने के पश्चात् एतद्वारा यह विनिर्दिष्ट करती है कि उक्त अधिनियम की धारा 6 19 सितम्बर, 1967 से मैसर्स एन्टरप्राइजेज, एच-2 माडल टाउन, दिल्ली-9 को लागू होने के सम्बन्ध में इस उपांतरण के अन्वयधीन होगी कि "सवा छह प्रतिशत" शब्दों के स्थान पर "आठ प्रतिशत" शब्द प्रतिस्थापित किए जायें।

[सं० 8/137/69-पी०एफ० II (ii)]

New Delhi, the 6th May 1970

S.O. 1839.—Whereas it appears to the Central Government that the employer and the majority of the employees in relation to the establishment known as Messrs Kondivita Private Limited, Kondivita Village, Andheri-Kurla Road, Bombay-59 have agreed that the provisions of the Employees' Provident Funds Act, 1952 (19 of 1952), should be made applicable to the said establishment;

Now, therefore, in exercise of the powers conferred by sub-section (4) of section 1 of the said Act, the Central Government hereby applies the provisions of the said Act to the said establishment.

This notification shall be deemed to have come into force on the thirty-first day of March, 1969.

[No. 8/14/70/PF-II(i).]

नई दिल्ली 6 मई, 1970

क्रा० प्र० 1839:—यतः केन्द्रीय सरकार को यह प्रतीत होता है कि मेसर्स कोंडीविटा प्राइवेट लिमिटेड, कोंडीविटा ग्राम, अंधेरी कुरला रोड, मुम्बई-59 नामक स्थापन से सम्बन्ध के नियोजक और कर्मचारियों की बहुसंख्या इस बात पर सहमत हो गई है कि कर्मचारी भविष्य निधि अधिनियम 1952 (1952 का 19) के उपबन्ध उक्त स्थापन को लागू किए जाने चाहिए ;

अतः अब, उक्त अधिनियम की धारा 1 की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार उक्त अधिनियम के उपबन्ध उक्त स्थापन को एतद्वारा लागू करती है।

यह अधिसूचना 1969 के मार्च के इकत्तीसवें दिन को प्रवृत्त हुई समझी जाएगी।

[सं० 8/14/70-प्र० नि० II(i)]

S.O. 1840.—In exercise of the powers conferred by first proviso to section 6 of the Employees' Provident Funds Act, 1952 (19 of 1952), the Central Government, after making necessary enquiry into the matter, hereby specifies that, with effect from the 31st March, 1969 section 6 of the said Act shall in its application to Messrs. Kondivita Private Limited, Kondivita village, Andheri Kurla Road, Bombay-59 be subject to the modification that for the words "six and quarter per cent", the words "eight per cent" were substituted.

[No. 8/14/70-PF.II(ii).]

क्रा० प्र० 1840—कर्मचारी भविष्य निधि अधिनियम, 1952 (1952 का 19) की धारा 6 के प्रथम परन्तुक द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार इस विषय में आवश्यक जांच कर लेने के पश्चात् एतद्वारा यह विनिर्दिष्ट करती है कि उक्त अधिनियम की धारा 6 इकत्तीस मार्च, 1969 से मेसर्स कोंडीविटा प्राइवेट लिमिटेड, कोंडीविटा ग्राम अंधेरी कुरला रोड, मुम्बई-59 को लागू होने के सम्बन्ध में इस उपांतरण के अध्वधीन होगी कि "सवा छह प्रतिशत" शब्दों के स्थान पर "आठ प्रतिशत" शब्द प्रतिस्थापित किए जाएं।

[सं० 8/14/70-पी० एफ० II(ii)]

दलजीत सिंह, अवसर सचिव।

New Delhi, the 8th May 1970

S. O. 1841.— In exercise of the powers conferred by section 73F of the Employees' State Insurance Act, 1948 (34 of 1948), the Central Government, having regard to the location of the factories, specified in column (4) of the Schedule hereto annexed in areas, specified in column (3) of the said Schedule in the State of West Bengal in which the provisions of Chapters IV and V of the said Act are in force, hereby exempts the said factories from the payment of employer's Special contribution leviable under Chapter VA of the said Act for a period of one year from the date of publication of this notification in the Official Gazette or until the enforcement of provisions of Chapter V of the said Act in those areas, whichever is earlier.

SCHEDULE

Serial No.	Name of District	Name of Area	Name of the factory
(1)	(2)	(3)	(4)
1	Burdwan	Kalna	(1) M/s. Bapuji Powerloom & Industries Cooperative Society Ltd. (2) M/s. Kalna Powerloom Cooperative Union Ltd.
		Guskara Memari	M/s. Guskara Oil Mill & Co. M/s. C. P. Casting Corporation.
2	Hooghly	Dasghora	M/s. Dasghora Handmade Paper Centre.
3	Jalpaiguri	Ektiasal	1. M/s. Mooljee Iron & Steel Industries. 2. M/s. Ferrazzinis.
4	Nadia	Taherpur	M/s. Taherpur Powerloom No. 2 Cooperative Society Ltd., R.I.C. Production Centre.
5	Purulia	Purulia	M/s. Mirjamull Rameshwarlal Aluminium Factory.
		Jhalda	1. M/s. Madras Shellac Factory. 2. M/s. Sree Gopal Shellac Factory.
		Rangadiah	M/s. Giri Raj Agarwalla.

[No. F.602 (18)/70 H.I.]

DALJIT SINGH, Under Secy.

(Department of Labour and Employment)

New Delhi, the 2nd May 1970

S.O. 1842.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the following award of the Industrial Tribunal, Calcutta in the industrial dispute between the employers in relation to Messrs Baney Madhub Mookerjee and Company, Calcutta and their workmen, which was received by the Central Government on the 23rd April, 1970.

CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL, CALCUTTA

REFERENCE No. 103 of 1969.

PARTIES:

Employers in relation to Messrs Baney Madhub Mookerjee and Company, Calcutta.

AND

Their workmen.

PRESENT:

Mr. B. N. Banerjee, Presiding Officer.

APPEARANCES:

On behalf of Employers

Sri S. S. Aiyar, Secretary, Calcutta Master Stevedores Association.

On behalf of workman.

Sri Hiralal Roy, President, Shipping Employees Union.

STATE: West Bengal

INDUSTRY: Dock

AWARD

By Order No. 28/22/69-LW.III, dated June 5, 1969, the Government of India, in the Ministry of Labour, Employment and Rehabilitation (Department of Labour and Employment), referred the following industrial dispute between the employers in relation to Messrs Baney Madhub Mookerjee and Company, Calcutta, and their workmen, to this Tribunal, for adjudication, namely:

"Whether the action of the management of Messrs Baney Madhub Mookerjee and Company, Calcutta, in terminating the services of the four monthly Tally Clerks, Sri N. Chatterjee, Sri J. K. Paul, Sri P. B. Bose and Sri A. L. Karmakar with effect from the 30th November, 1968, was justified?

If not, to what relief are the workmen entitled?"

The workmen and the management both filed their respective written statement. According to the written statement filed on behalf of the workmen, represented by the Shipping Employees Union, the concerned workmen, namely N. Chatterjee, J. K. Paul, P. B. Bose and A. L. Karmakar were appointed as Tally Clerks with effect from May 1, 1955. Further, according to the workmen, they became registered Tally Clerks under the Calcutta Dock Labour Board. Also, according to the workmen, by several notices dated November 26, 1968 the services of the four workmen were terminated with effect from November 30, 1968. On these facts the workmen say that the discharge was against the provisions of the Calcutta Dock Workers (Regulation of Employment) Scheme as well as Clause 12 of the Standing Orders of the company. The workmen condemned the discharge from or termination of services as illegal and arbitrary and claimed reinstatement of the concerned workmen in their former posts, with full back wages, for the period of forced unemployment.

3. In the written statement filed by the management, it is denied that the concerned workmen were registered under Reserve Pool of Calcutta Dock Labour Board. In paragraph 2 of the written statement it was stated:

"2. * * * It is submitted that before 1956 there was no category of Tally Clerks included within the class of Stevedore Labour and Registration of four Tally Clerks as alleged was not required under the Dock Workers (Regulation of Employment) Scheme of 1951. The employers, therefore, denies that the said Tally Clerks were registered as such before or at the time of their employment under this employer on and from 1st May, 1955.*"

It is further stated in paragraph 3 of the written statement:

"3. * * * It is denied in particular that the said four Tally Clerks though in the monthly employment of this employer were eligible for registration as Tally Clerks inasmuch as the Calcutta Dock Workers (Regulation of Employment) Scheme of 1951 was not applicable to the said Tally Clerks and there was no scope for their registration as Tally Clerks under clause 13(i) of the said Scheme, as alleged.*"

Lastly it was stated in paragraph 4 of the written statement:

"4. * * * the registration if at all of the four Tally Clerks who worked on monthly basis under different employers were not required to be registered in the Reserve Pool of the Calcutta Dock Labour Board and their registration in any other category would be deemed to have been cancelled on their acceptance of employment on monthly salary basis and as Tally Clerks, if at all, registered. In view thereof, the said four monthly Tally Clerks covered under the Order of reference who took up service under this employer on monthly salary basis were not treated as Tally Clerks registered in this Scheme of 1951 and the said four Tally Clerks not having been registered under the Scheme of 1956 in the Register of Calcutta Dock Labour Board, no obligation was created against his employer as they were not taken in employment by way of transfer from the Reserve Pool of Calcutta Dock Labour Board at any time, as alleged."

The case of the management appears to have been somewhat clumsily pleaded in paragraphs 9 and 13 of the written statement, from which I set out below the material portions:

"9. It is submitted that this employer is a member of the Master Stevedores' Association, and the said Association has framed Standing Orders which have been duly certified under the Industrial Employment (Standing Orders) Act under which the members Stevedores and workmen who are directly in service of the Stevedores including this employer and also workmen on monthly service including the said four Tally Clerks, are covered and are bound by the same. The said four Tally Clerks not having been registered as Tally Clerks in the Reserve Pool of the Calcutta Dock Labour Board under the Scheme of 1956 which is only applicable to them, are not governed by the Standing Orders of the Calcutta Dock Labour Board referred to in the said paragraph in relation to the dock workers registered under the Calcutta Dock Labour Board. It is further submitted that the said four Tally Clerks not being eligible for registration in the Reserve Pool of the Calcutta Dock Labour Board under the Scheme of 1951, there was no scope for transfer from the Reserve Pool to this employer on monthly salary basis, nor there is any scope for registration in the Reserve Pool of similar category on termination of services by this employer. Neither Clause 12 nor Clause 14(3) is applicable to the said Tally Clerks or to this employer as untruly alleged. In this connection, it is further submitted that the provision of Clause 19 of the Scheme of 1956, or Clause 14(III) of the Scheme of 1951, is applicable to the said four Tally Clerks as alleged.

13. It is submitted that the termination of services of the said four Tally Clerks were strictly in accordance with the terms and conditions of services and by way of ordinary discharge on one month's notice and was neither mala fide or illegal nor in violation of the principles of natural justice."

4. Amongst the concerned workmen only P. B. Bose did not appear before this Tribunal as witness nor did he file his documents. The letters of appointment issued to the workmen are more or less couched in similar language and hereinafter I quote one of them (Ext. A) as a sample:

"You are hereby informed that you are appointed as a monthly clerk on a salary of Rs. 155 per month. This appointment is initially for a probationary period after which, if your work is satisfactory, you will be confirmed in the appointment. In accepting this appointment you agree to abide by any terms and conditions of service which may be drawn up by the Association in consultation, if necessary, with the Calcutta Dock Labour Board. In accepting this appointment you agree that certain types of clerking work on vessels, specially tallying, are optional and at owner/stevedore's option.

You will be appointed as monthly Tally Clerk with effect from 1st May, 1955."

The letters of termination are also written in the similar language and hereinafter I set out one of them (Ext. C):

"He is hereby informed that his service as monthly Tally Clerk will be considered as terminated with effect from 30th November 1968 by way of ordinary discharge.

This notice is to be treated as 30 days' notice required to be served for such termination."

The fact that they were registered under the Calcutta Dock Labour Board as Tally Clerks is proved in case of N. Chatterjee by Ext. F and in cases of A. L. Karmakar and J. K. Pal respectively by Exts. B and I. I have reasons to believe that the remaining workman, namely, P. B. Bose, was also registered as such clerk because after the service of the termination notice he also prayed for transfer to the Reserve Pool of the Dock Labour Board (*vide* Ex. D).

5. Mr. S. S. Aiyar, appearing for the management, and Mr. Hiralal Roy, appearing for the workmen, changed their stand at the time of the hearing. Mr. Aiyar practically declined to cross-examine all the witnesses examined on behalf of the workmen and he himself did not examine any witness on behalf of the

management. All the workmen spoke in one voice that they are registered as Tally Clerks under the Calcutta Dock Labour Board. Mr. Aiyar did not dispute their evidence or this fact. The workmen also did not dispute the proposition that although the notice of discharge fell short of a month's notice the lacuna was remedied by verbally extending the date of discharge to December 31, 1968. The snort and the only point that was urged for my consideration was not the illegality of the orders of termination of service but the point was that although the concerned workmen were Tally Clerks registered under the Reserve Pool of Calcutta Dock Labour Board, the employer failed to transfer to the Dock Labour Board all benefits that accrued due to workmen in respect of their previous service. Mr. Aiyar now agrees that the employers shall do so.

6. The workers say that they are entitled to be transferred to the Reserve Pool under the Calcutta Dock Workers (Regulation of Employment) Scheme, 1956. That is not disputed. If that be so, then I believe the Dock Labour Board will deal with them accordingly. Now that the employers agree to transfer to the Board all benefits that accrued due to the concerned workmen, nothing further need be done.

7. In the result, I hold that the action of Messrs Baney Madhub Mookerjee and Company in terminating the services of the four monthly Tally Clerks, namely Sri N. Chatterjee, Sri J. K. Paul, Sri P. B. Bose and Sri A. L. Karmarkar with effect from 30th November, 1968 was not justified only in the form made. The employers are, however, entitled to terminate the services with effect from 31st December, 1968 as they in fact did but shall transfer to the Calcutta Dock Labour Board all benefits due to the workmen for services rendered within a month of the publication of this award. The reliefs to which the workmen are entitled are already indicated and they are entitled to no further relief.

This is my award

(Sd.) B. N. BANERJEE,
Presiding Officer.

Dated, April 17, 1970.

[No. 28/22/69-LWI.III/P&D.]

New Delhi, the 7th May 1970

S.O. 1843.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the following award of the Industrial Tribunal, Bombay in the industrial dispute between the employers in relation to the Bombay Port Trust, Bombay and their workmen, which was received by the Central Government on the 1st May, 1970.

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL, BOMBAY

REFERENCE No. CGIT-4 of 1967

PARTIES:

Employers in relation to the Bombay Port Trust

AND

Their workmen.

PRESENT:

Shri A. T. Zambre, Presiding Officer.

APPEARANCES:

For the employers.—Shri R. K. Shetty, Deputy Legal Adviser, Bombay Port Trust.

For the workmen.—Shri S. K. Shetye, General Secretary, Bombay Port Trust Employees Union.

STATE: Maharashtra.

INDUSTRY: Major Ports and Docks.

Bombay dated 28th March 1970.

AWARD

The Government of India, Ministry of Labour, Employment and Rehabilitation, Department of Labour and Employment, by their Order No. 28 (152)/66-LRIV

dated 31st January 1967 have referred to this Tribunal for adjudication an industrial dispute existing between the employers in relation to the Bombay Port Trust, Bombay and their workmen represented by the Bombay Port Trust Employees Union under sub-section (2) of section 10 of the Industrial Disputes Act, 1947 in respect of the matters specified in the following schedule:—

SCHEDULE

"Whether all or any of the categories of employees mentioned in the annexure hereto employed in the Hughes Dry Dock and the Mereweather Dry Dock are entitled to Uniforms in accordance with the principles laid down in paragraph 45 of the Award of the Industrial Tribunal, Calcutta, published with S.O. 1115 dated the 9th June 1958.

If so, on what scale should such supply be made?"

ANNEXURE

1. Mazdoor.
2. Nawganee.
3. Muccadam.
4. Skin Diver.
5. Chargeman.

2. The Bombay Port Trust owns two dry docks, the Hughes Dry Dock and the Mereweather Dry Docks where ships are brought for annual overhaul repairs chipping and painting and other works and various employees of different departments are working in these docks on the ships. The employees viz., mazdoors, nawaganee muccadam, skin diver and chargeman who are the workmen involved in this reference are the members of the Bombay Port Trust Employees Union which by its statement of claim has contended that the employers had recently granted free uniforms to the various categories of workmen of the engineering department including those working at the two dry docks. The nature of the work of the workmen involved is also such that their clothes get soiled, the life of the cloth is reduced and they are entitled, to get free uniforms in accordance with the principles laid down in paragraph 45 of the award of the Industrial Tribunal. These workmen are required to assist the khalasis in doing all types of work such as laying, removing special blocks, keel blocks, docking and undocking operations. The docks are full of mud and oily water. While lifting the heavy blocks and carrying out other operations their clothes get soiled, they also get worn out by the falling rust and the employees are entitled to the uniforms and their case is covered by the principles laid down in the award and the employers should be directed to supply these workmen with free uniforms as stated by them in the statement of claim.

3. The employers have by their written statement opposed the claim of the workmen and have contended that these workmen are not entitled to the benefit of free uniforms under the provisions of paragraph 45 of the award. They have admitted the enumeration of the duties of the various categories of workmen but have contended that these duties did not soil their clothes to such an extent as to reduce their normal life and the principles laid down in the paragraphs 45 and 46 of the award are not attracted. Regarding the chargeman and muccadams it has been specifically contended that their work is of a supervisory nature which was merely allocating and supervising the work done by the other workers and they are not entitled to free uniforms.

4. During the pendency of this reference the Central Government by their Order No. 29/2/68/LR/III dated 17th January 1968 have referred the dispute of the workmen of the Madras Dock Labour Board concerning the free supply of uniforms to the National Industrial Tribunal at Dhanbad of which Shri Kamla Sahai was the Presiding Officer. Notice of that reference was issued to the employers and the employees and hence the employers by their additional written statement in this reference contended that the National Tribunal was called upon to lay down the broad principles on the basis of which uniforms may be given to such workmen. The Tribunal was also asked to state the type of uniforms to be supplied to each category. The employers were likely to be interested in and affected by the award of the National Industrial Tribunal. They had been joined as parties to the said dispute by the Government of India by their Order dated 2nd July 1968 and as the employers are parties to that reference the present reference should be held to be bad under the provisions of the Industrial Disputes Act, 1947 and it should be deemed to have been quashed.

5. In view of the above reference to the National Industrial Tribunal both parties had requested to keep this reference pending and the employers have produced various notices issued to them and the copies of the written statement filed by them before the National Tribunal. The National Tribunal had given its award in reference No. 1 of 1968 which has been published in the Gazette of India Part II Section 3 (ii), dated 1st November, 1969 at page 4737 and I do not think that the present reference will be affected in any way by the award in the National Industrial Tribunal Ref. No. 1/68. The learned Deputy Legal Adviser of the Bombay Port Trust has invited my attention to the provisions of section 10(6) of the Industrial Disputes Act which provides in effect that when a reference has been made to a National Tribunal notwithstanding anything no Labour Court or Tribunal shall have jurisdiction to adjudicate upon any matter which is under adjudication before the National Tribunal. But I do not think that this provision will be applicable to the facts of this case as it is clear from the issues framed by the National Industrial Tribunal that the reference before it was in respect of the uniforms to be supplied to the workmen of the Madras Dock Labour Board. The issues framed are as follows:—

1. "What are the broad principles on the basis of which uniforms and footwear may be given to the workmen of the Madras Dock Labour Board?"
2. What categories of workmen of the Madras Dock Labour Board should be supplied with uniforms and footwear free?
3. What should be the type of uniforms and footwear to be supplied to each such category?
4. What should be the nature and quality of the clothing material of uniforms to be supplied to each category?
5. What should be the scale and periodicity of supply of such uniform and such footwear?
6. Whether the demand for the free supply of uniforms made by the workmen of the Madras Dock Labour Board is justified?"

All these issues pertain to the workmen of the Madras Dock Labour Board where the climate and the working conditions differ. The issue about the uniforms to be supplied to the employees working in the dry docks was not the subject of adjudication before the National Industrial Tribunal and there is no question of this reference being bad or that award being binding on the workmen before me, and the question is whether the case of the workmen involved in this reference is covered by the principles laid down in paragraph 45 of the award of the Industrial Tribunal Calcutta.

6. The relevant portion of the paragraph 45 of the award which lays down the principles is as follows:—

"The accepted principles as they stand today on which uniforms are granted to workmen are:—

- (1) Those who come in touch with the public in course of their duties;
 - (a) those who from the employers point of view should present a smart appearance and thereby maintain the prestige of the employers;
 - (b) those who require some identification for easy access to the place of their work and easy execution of their work.
- (2) Those whose work require a particular type of dress for their safety against any risk involved in such works.
- (3) Those whose nature of work soil their clothes and reduce their life.

Shri Shetye on behalf of the union has argued that from the nature of the work required to be done by the employees their case is covered mainly by principle 3 in the award. In support of their contentions each party has filed an affidavit in terms of their written statement. In the affidavit of the employee Shridhar Waman Adkar which is filed by the union it has been stated:

"I say that the employees of all the five categories while discharging their duties at the Dry Docks get their clothes soiled to such a degree that the normal life of the clothes gets considerably reduced. I further

say that the work-clothes of the employees of the said five categories get soiled due to slush, oil, rust, paint etc., while discharging their normal duties in the Dry Docks. I further say that the employees of the categories of Muccadams and chargemen who generally supervise work done by other employees are also required to work in the Dry Docks, along with the employees of other categories such as mazdoors, nowganees, skin-divers, carpenters etc."

In the affidavit filed by the employers they have admitted that the clothes of the mazdoors and nowganees get soiled but considering the nature of the work and the place where it is done. I do not find any substance in the contention that the degree of soiling is such as to be considered less severe.

7. During the hearing the union had requested the Tribunal to pay a visit to the dry docks to see the nature of the work carried on by the employees and the conditions in which they were working. The employers had no objection for a visit but it was contended that the visit should be incognito and without any intimation and accordingly when both the legal adviser of the B.P.T. and Shri Shetye had appearance before Tribunal for some other work the Tribunal took them for inspection to the docks on that day. I saw the employees working in the dry docks and the clothes on their persons on that day. It was found that the employees were wearing shirts and shorts which were heavily stained with mud and oil. There were also many holes due to fall of rust and I find much substance in the contentions raised by the union that due to the nature of the work the clothes of these employees get soiled and their natural life would be reduced. The employers have also admitted in their written statement about the soiling of the clothes by the nature of their work. They have stated:—

"The mazdoors and nowganees while discharging their duties, although get their clothes soiled the degree of soiling was not such as could be considered severe enough to reduce the life of their clothing material appreciably as to attract the provisions of paras 45 and 46 of the Das Gupta Award."

It is not in dispute that when the ships are brought into the dock the docking and undocking operations are carried on by the workers. Secondly where the ship is brought insite, the water is pumped out and the dock remain is full of mud. The ship is to be kept on the dry floor of the dock in erect position for which these workers are required to support it with heavy logs of wood which are known as keel blocks, beloge shore etc. These blocks are heavy and two or three persons lift the logs which are lying in the mud which is oily and greasy. Naturally the clothes of these workers are soiled abnormally and I do not find any substance in the contention of the employers that there is no abnormal wear and tear.

8. I have already stated the condition of the clothes on the persons of the employees which I found at the time of inspection. It is significant to note that due to the fall of the rust on the clothes that much part of the cloth is worn out as if by acid and creates a hole. It is true that the clothes of the chargeman were not so much soiled as the other workers. However there were holes due to fall of rust. All the workmen work at the same spot and I do not think there can be any exception and all the workers will be entitled to get free uniforms.

9. The union had in their statement of claim claimed only a pair of shorts and shirts and vests per year and hence at the time of the hearing Shri Shetye contended that the workmen are entitled to get two pairs and wanted to amend the statement. The reference is pending since the year 1967. The employers had raised objections and subsequently Shri Shetye submitted that he would take steps after the decision of this reference and did not press for the amendment. The union has produced extracts from the statement showing the type and scale of uniforms and the quality of the clothing material supplied to the other employees of the B.P.T. The statement shows that the serangs, Khalasis and divers get four trousers and four coats, four shirts and 4 Pyjamas and four overcoats and trousers respectively annually and in my opinion the divers and chargemen and all the other workers are entitled to get uniforms as claimed by them.

10. Shri Shetye, the learned Deputy Legal Adviser of the Bombay Port Trust has argued that the workers have also claimed a pair of vests in addition to the shirts and shorts every year. This vest is an underwear which will not be soiled by the nature of the work and the same should not be granted. The vest being an under garment it could be soiled only by sweating and it is not likely to be damaged by the rust or the paint or by the mud and I do not think that the claim of the workers for vests will be covered by the principles laid down in

paragraph 45 of the award. I therefore hold that the mazdoors, nawganees, skin divers, mucadams and chargemen will be entitled to uniforms as follows:—

<i>Categories</i>	<i>Uniforms</i>	<i>Periodicity.</i>
Mazdoors	2 shirts blue drill	per year
	2 shorts „ „	
Nawganees	2 shirts „ „	per year.
	2 shorts „ „	
Skin-divers	2 shorts „ „	per year.
Mucadams	2 shirts Khaki drill	per year.
	2 shorts Khaki drill	
	2 caps brown	
Chargeman:	2 shirts Khaki drill	per year
	2 caps brown	

11. As the employees are required to lift up the heavy logs I think instead of full shirts half sleeve shirts would be more convenient and the workmen should be supplied with half sleeve shirts. As per suggestion of the employers the uniform supplied should also contain the name of the section where the workmen are working and the year of supply written in indelible ink.

12. Shri Shetye on behalf of the union has made a grievance that the employers are neither regular nor particular in supplying the clothes in time to the employees in whose favour awards have been already passed. The clothes during the year 1965 are given after four years and there should be a specific direction in the award for the regular supply of uniforms with a penal clause. On the contrary the Deputy Legal Adviser of the Bombay Port Trust has contended that the employers have noticed great and extensive abuse of the benefits of supply of the uniforms. The employees sell away the new uniforms to the contractors at low prices and wear their old set and this abuse should be directed to be stopped.

13. There is no reason to disbelieve the grievances put forth by both the parties. It cannot be disputed that when the employers have to furnish the workmen with clothes they should supply the clothes in time. The workmen also cannot be permitted to sell away the clothes and abuse the benefit granted to them and considering the submissions I think it proper to impose certain restrictions both on the employers regarding the delay in supply of the clothes and on the employees in respect of the abuse of the benefits of the clothes given to them and direct that the employers should supply the uniforms to the workmen every calendar year within the first three months of the year and in case no such supply is made the employees should get the uniforms of the prescribed quality stitched from their tailor and present it before the management of the B.P.T. who should reimburse the expenses incurred on getting proper receipts.

14. For the purpose of stopping the abuse of the benefit of free supply of uniforms on the part of the employees I think it proper to require the employees to show to the management their current old set of uniforms and the old set of the previous year (however torn or otherwise) before they can claim the new set. They will not be entitled to get the new set for the year 1972 unless they show to the employers the current old set of 1971 and the set of the previous year i.e. of the year 1970. For getting the supply of 1970 they will not be required to show any clothes but for getting the supply of 1971 they will be required to show the old set of 1970. In case of failure to show the old clothes or no satisfactory explanation is offered to the management the employees will forfeit their claim for the new set. The uniforms for the year 1970 should be supplied within two months of the publication of this award in the official gazette.

No order as to costs.

(Sd.) A. T. ZAMBRE,
Presiding Officer,
Central Government Industrial Tribunal, Bombay.
[No. 28/152/66-LR.IV/P&D.]

S.O. 1844.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Part II Award of the Industrial Tribunal, Hyderabad, in the Industrial dispute between the Dock workers at Visakhapatnam Port and their employers, which was received by the Central Government on the 30th April, 1970, in continuation of the Award, dated the 12th June, 1968, published as S.O. 2216, dated the 22nd June, 1968, in the Gazette of India Part II, Section 3, sub-section (ii).

BEFORE THE INDUSTRIAL TRIBUNAL (CENTRAL) AT HYDERABAD

PRESENT:

Sri Mohammad Najmuddin, M.A., B.L., Presiding Officer, Industrial Tribunal (Central) at Hyderabad.

INDUSTRIAL DISPUTE NO. 10 OF 1967

BETWEEN

Dock Workers at Visakhapatnam Port.

AND

Their Employers.

APPEARANCES:

None.

AWARD

The Government of India in its Ministry of Labour, Employment and Rehabilitation (Department of Labour and Employment) had, by Order No. 28(21)/67-LRIII dated 13th April, 1967, referred this dispute to me for adjudication. The issue as per Schedule to the Notification is this:—

Whether the demand for payment of bonus to Dock Labour Board Workers employed at Visakhapatnam Port for the accounting years 1964-65, 1965-66 and 1966-67 is justified, and, if so, at what rate should such bonus be paid.

2. Eleven Stevedoring Companies at Visakhapatnam are individually party to the reference as well as their Association called Stevedores Association, Visakhapatnam. Two Unions, the Port Khalasis Union and the Dock Workers Union, are party to the reference. The Dock Labour Board, Visakhapatnam, is also party to the reference. The last mentioned would not be in the picture any more for the reason I would presently mention.

3. This dispute had earlier come before me for disposal by adjudication. In the main, two questions had arisen for decision. One was who was the employer of the Dock Workers, that is, whether the Dock Labour Board or the Stevedores. The other question was justification for the claim of bonus for the three years mentioned in the issue and the quantum thereof. By award dated 24th May, 1968 I had held that the Dock Labour Board was the employer and that the dock workers were entitled to bonus for the three years under claim. As to what should be the quantum of the bonus, I had adopted a mean between what obtained in the Ports at Madras, Bombay and Calcutta. The Dock Labour Board went to the Supreme Court in appeal by special leave from the above award. By judgement dated 10th September, 1969. Their Lordships of the Supreme Court held that the Dock Labour Board was not an industry and therefore the said Board could not be party to the reference made under Section 10(1) of the Industrial Disputes Act. It was also held that the provisions of the Industrial Disputes Act would not apply to the Dock Labour Board, Visakhapatnam. In consequence of that finding it was observed that the Dock Labour Board was out of the picture because it was not against the Dock Labour Board but was against the Stevedores that the workers had made the claim as embodied in the issue in the reference. The award made by me was set aside and the case was remanded for fresh disposal according to law, the dispute thus being really one between the Stevedores on the one side and the Dock Workers on the other. Both these parties were permitted to file additional statements if they so chose.

4. After the dispute was sent back to me for fresh disposal according to law. I had given notice to the parties, *viz.*, the two Unions and the Stevedores to appear and participate in the enquiry to be taken up. After that was done, the parties came together with a view to negotiate settlement. There are two aspects regarding handling of cargo for which bonus was claimed. One is handling of cargo by

mechanical means and the other is handling of cargo by manual labour. Two separate settlements had been entered into on those two aspects. The settlement in respect of handling cargo by mechanical means is dated 15th October, 1969. It is signed by Mr. K. S. Dutt and by Mr. D. Banerjee who are respectively President and Secretary of the Visakhapatnam Stevedores Association. On behalf of the Port Khalasis Union it is signed by its President, Mr. P. M. Naidu. On behalf of the Dock Workers Union it is signed by its President, Mr. B.G.M.A. Narsing Rao. It will be noted that the two above mentioned Unions are party to the reference. The other settlement, viz., that in respect of handling cargo by manual labour, is dated 10th March, 1970. It is signed by Mr. K. S. Dutt and by Mr. Banerjee representing the Stevedores and by Mr. P.M. Naidu representing the Port Khalasis Union. It is not signed by Mr. Narsing Rao who is President of the Dock Workers Union nor by anyone representing the said Union. At that stage I could not make an award on the basis also of this other settlement, but as however there could be no objection to such a course, I passed Part Award on 3rd April, 1970 on the basis of the settlement dated 15th October, 1969.

5. As I said, neither Mr. B.G.M.A. Narsing Rao nor any one on behalf of the Dock Workers Union had signed the settlement dated 10th March, 1970. Therefore I sent notice to him by registered post directing him to state objections, if any, with regard to his settlement. In that notice I had directed him to make submissions, if any, in that behalf on or before 20th April, i.e., this day. Mr. Narsing Rao received that notice on 9th April as seen from the postal acknowledgement. Any objection has not been offered on behalf of the Dock Workers Union in respect of this settlement. There is no communication from the President of the said Union. Therefore I would assume that the Dock Workers Union has no objection to award being passed on the basis of also the settlement dated 10th March, 1970. I have perused the terms of the settlement. I am satisfied that it is fair and equitable between the parties. Now remains to pass the remaining part of the award, Part Award having already been passed on 3rd April, 1970.

6. The rest of the Award in this dispute is herewith passed in terms of the Memorandum of Settlement dated 10th March, 1970, copy whereof is appended hereto.

Given under my hand and the seal of the Tribunal, this the 20th day of April, 1970.

(Sd.) M. NAJMUDDIN,
INDUSTRIAL TRIBUNAL.

BEFORE THE INDUSTRIAL TRIBUNAL: ANDHRA PRADESH; HYDERABAD

In the matter of Industrial Dispute No. 10 of 1967

BETWEEN

Eleven stevedore employers registered by the Visakhapatnam Dock Board, represented by the Visakhapatnam Stevedores Association.

AND

Stevedore workers borne on the registers of the Visakhapatnam Dock Labour Board, represented by the port Khalasis Union.

The Parties above-named beg to submit as follows:

- (1) That the industrial dispute over payment of bonus to the stevedore workers borne on the registers of the Dock Labour Board for the accounting years 1964-65, 1965-66 and 1966-67 has been pending before the Industrial Tribunal, Hyderabad on remand by the Hon'ble Supreme Court;
- (2) That the parties had negotiated for a part settlement of the dispute relating to payment of bonus in respect of ore cargoes handled in Q-1 and Q-2 berths through skips and cranes come to a settlement on 15-10-1969, which is being filed before the Tribunal for favour of passing an award in terms thereof as a part disposal of the reference;
- (3) That the parties further negotiated for a settlement in respect of cargoes other than ore cargoes for the years 1964-65, 1965-66 and 1966-67 and have come to a settlement as per the enclosed memorandum of settlement.

It is prayed that the Tribunal may be pleased to pass an award incorporating both the settlements.

Representing employers

(Sd.) K. S. DUTT,

President,

Visakhapatnam Stevedores Association.

(Sd.) D. BANERJEE,

Secretary

Visakhapatnam Stevedores Association.

Visakhapatnam.

Dated 10-3-70.

Representing workmen.

(Sd.) P. M. NAIDU,

President,

Port Khalasis Union, Visakhapatnam.

Memorandum of Settlement

Parties to the dispute:

Stevedores registered as employers by the Dock Labour Board, represented by the Visakhapatnam Stevedores Association.

Vs.

Stevedore workers borne on the registered of the Dock Labour Board represented by Port Khalasis Union.

Representing the parties:

For Employers:

- (1) Shri K.S. Dutt, President, Stevedores Association.
- (2) Shri D. Banerjee, Secretary, Stevedores Association.

For workmen:—

- (1) Shri P.M. Naidu, President, Port Khalasis Union.

Short Recital of the Case

The stevedore workers registered by the Dock Labour Board represented by the Port Khalasis Union had raised an industrial dispute for payment of bonus for the accounting years 1964-65, 1965-66 and 1966-67. The Government of India had referred the dispute for adjudication to the Industrial Tribunal, Andhra Pradesh, Hyderabad. The Tribunal had given an award in the dispute numbered as I.D. No. 10 of 1967, directing the Dock Labour Board to pay bonus as an employer of dock workers at the rates awarded therein. The Dock Labour Board filed an appeal before the Supreme Court challenging the award on the ground that the Board was not the employer and hence not liable to pay bonus. The Supreme Court, while allowing the appeal filed by the Dock Labour Board held that the Board was not carrying on any industry and was not liable to pay bonus. The Hon'ble Court has remanded the case to the Industrial Tribunal, for disposal according to law. While implementing the award of the Industrial Tribunal, before it was set aside, the Board had sought a clarification under section 36A of the Industrial Disputes Act, 1947, in regard to the payment of bonus for the ore cargoes handled in Q-1 and Q-2 berths through skips and cranes. During the pendency of the reference under section 36-A before the Tribunal and the pendency of the appeal against the award before the Supreme Court, the Board had considered the question of settling the bonus payment for the ore cargoes and resolved to pay bonus for the same at the rate of 2 paise per ton. As in the meantime the judgement of the Supreme Court was pronounced making the Board not liable to pay bonus, the matter was again considered by the Board and it decided that the employers and workers should arrive at a settlement under the provisions of the Industrial Dispute Act, 1947. According to the parties have separately arrived at a settlement in respect of ore cargoes handled at Q-1 and Q-2 berths on 15-10-1969 and since the dispute for the years 1964-65, 1965-66, and 1966-67 was pending before the Industrial Tribunal, Hyderabad it has been agreed therein to file the said settlement before the Tribunal. The parties thereafter negotiated in respect of cargoes other than ore cargoes handled in Q-1 and Q-2 berths. The intervention of the Chairman of the Board was also sought for settling the dispute for bonus for the years 1964-65, 1965-66 and 1966-67, which is pending before the Tribunal, and for the years

1967-68 and 1968-69 as also for future years 1969-70 and 1970-71. In view of an overall settlement reached for the past and the future years, the following terms of settlement have been reached in respect of the years 1964-65, 1965-66 and 1966-67:

Terms of settlement

- (1) It is agreed that the dispute for bonus in respect of cargoes other than ore cargoes handled in Q-1 and Q-2 berths for the years 1964-65, 1965-66 and 1966-67 is settled at the rate of 13 Ps., 14 Ps. and 15 Ps. respectively per ton of cargo handled.
- (2) Since the bonus at the rates agreed upon under (1) above has already been advanced to the workers by the Dock Labour Board pending recovery from employers, it is agreed that the same be recovered by the Board from the employers.
- (3) It is agreed to file a joint application before the Industrial Tribunal, Hyderabad with a prayer that the Tribunal be pleased to give a consent award on the above terms of settlement relating to cargoes other than ore cargoes and also on the terms of settlement reached and filed separately before the Tribunal in respect of ore cargoes handled in Q-1 and Q-2 berths through skips and cranes at the rate of 2 paise per ton for these years.
- (4) It is agreed that the parties will forward a copy of the agreement to the Deputy Chairman, Dock Labour Board, for information and necessary action.

Representing employers

1. (Sd.) K. S. DUTT.
2. (Sd.) D. BANERJEE.

Representing workmen

1. (Sd.) P. M. NAIDU.

Witnesses:

1. (Sd.) J. VENKATARAM.
Labour Officer, Adm. Body,
Visakhapatnam Dock Labour Board.
Visakhapatnam.
Dated, 10th March, 1970.

2. (Sd.) N. V. K. P. CHAYANULU.
P.A. to Dy. Chairman.
Dock Labour Board, Visakhapatnam.

[No. 28/21/67-LR. III/P & D.]

New Delhi, the 13th May 1970

S.O. 1845.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the following award of the Industrial Tribunal, Calcutta, in the industrial dispute between the employers in relation to the management of Calcutta Licensed Measurers and their workmen which was received by the Central Government on the 6th May, 1970.

BEFORE SHRI B. N. BANERJEE, ARBITRATOR AT CALCUTTA

REFERENCE NO. ABN-1 OF 1969.

PARTIES:

Employers in relation to the management of Calcutta Licensed Measures,

AND

Their workmen represented by Calcutta Port and Dock Workers Union and the National Union of Waterfront Workers.

PRESENT:

Shri B. N. Banerjee, Arbitrator.

APPEARANCES:

On behalf of Employers.

Shri D. Basu Thakur, Legal Advisor.

On behalf of Workmen.

Shri D. L. Sen Gupta, Advocate.

STATE: West Bengal.

AWARD

A dispute arose between the employers, named Calcutta Licensed Measurers, a partnership, and the workmen of the said partnership represented by the Calcutta Port & Dock Workers Union and the National Union of Waterfront Workers on the question of revision, with effect from October 1, 1969, of the existing (1)

scale of wages, (ii) dearness allowance, (iii) rates of extra shift bookings, Sunday/Holiday bookings and work beyond scheduled hours of work, (iv) house rent allowance, (v) city compensatory allowance and (vi) khoraki allowance, of the Measuring porters and Gearmen. It was agreed between the parties to refer the said dispute to my arbitration and they entered into an agreement to that effect. The Government of India, in the Ministry of Labour, Employment and Rehabilitation (Department of Labour and Employment), by their Order No. 28/3/69-LWI-III dated August 25, 1969, published the said arbitration agreement in pursuance of the provisions of sub-section (3) of Section 10A of the Industrial Disputes Act, 1947. The dispute between the parties is thus before me for arbitration.

2. In response to notices issued, the management, the workmen represented by the Calcutta Port & Dock Workers Union and also the workmen represented by the National Union of Waterfront Workers filed their respective written statements. Before I go into the contents of the written statements, I have to clear the ground of one difficulty. It appears from paragraph 1 of the written statement filed by the employers, that as far back as September 28, 1966, the Central Government had made a reference to this Tribunal on the following dispute:

"Whether, having regard to the nature of work performed by the Measuring Porters, Reserve Workers, Gearmen, Peons and Drivers employed by the Calcutta Licensed Measurers, they are entitled to interim and/or dearness allowance, in accordance with the recommendations of the Central Wage Board for Port and Dock Workers at Major Port and if so, from what date?"

It further appears, from paragraph 2 of the written statement filed by the employers, that this Tribunal (then Presided over by Mr. S. K. Sen), by an award dated July 21, 1967, held that the workmen concerned were not entitled to interim relief or dearness allowance in accordance with the recommendations of the Central Wage Board for Port and Dock Workers at Major Ports. It also appears, from paragraph 3 of the said written statement, that the National Union of Waterfront Workers moved the High Court at Calcutta, on May 9, 1968, against the award, under Article 226 of the Constitution, and obtained a Rule Nisi and the said Rule is said to be still pending. In paragraph 6 of the written statement, there was an objection taken against my jurisdiction to go on with the arbitration in the following language:

"That on the above facts and circumstances, it is submitted that in view of the settlement, dated 11th February, 1969, it will not be in consonance with justice to proceed with the present arbitration proceedings in view of the fact that if any additional wages is awarded by the Learned Arbitrator, the Company will also have to pay additional wages in terms of the Calcutta High Court decision, if allowed."

3. At the first sitting of the Arbitration I pointed out the above paragraph to Mr. D. Basu Thakur, appearing for the Calcutta Licensed Measurers, and observed that it is not possible or proper for the Arbitrator to proceed if one of the parties objected to the jurisdiction of the Arbitrator to proceed with the matter. Thereupon, Mr. Basu Thakur filed a petition for amendment of the written statement thereby omitting paragraph 6 altogether out of the written statement. That petition for amendment was granted. There is no longer any objection to my jurisdiction to go on with the arbitration.

4. This clears part of the difficulty created by the pendency of the writ petition before the High Court. But there remains another one, namely, if it pleases the High Court to make the Rule absolute and hold that the measuring porters and gearmen of Calcutta Licensed Measurers were Port workers and entitled to wages, etc. according to the recommendations of the Wage Board for Port and Dock Workers then an award by myself different from the decision of the High Court would be difficult to sustain and it would be difficult for such an award to co-exist with a contrary judgment of the High Court. Thereupon, the workmen represented by the Calcutta Port & Dock Workers Union and the National Union of Waterfront Workers filed an additional written statement therein stating:

"1. The Union had entered into settlement before Shri S. C. Gupta Deputy Chief Labour Commissioner (Central) on the 11th February, 1969 with the employers in the instant case. The settlement *inter-alia* provided as under:

'Clause 2: As regards demands No. (2) and (3) both the parties agree to start negotiating for revision of wages and for fixation of rates of wages for working extra shifts and also rates for working during

recess (meal time), Sundays and Holidays. In case the Calcutta High Court decides that recommendation of the Wage Board would be applicable to these workmen and if the Wage Board's recommendations cover these workmen also the decision of the High Court would prevail. The revised payments will be effective with effect from 1st October, 1969'.

2. In view of the above provision of the settlement, the Union undertakes to abide by the award of the Hon'ble Arbitrator in case the High Court in Calcutta sets aside the appeal made before the said High Court by the workmen represented by the National Union of Waterfront Workers even if the Central Wage Board for Port & Dock Workers recommends higher wage rates and other benefits for the workmen concerned.
3. The Union further submits that in the event of the High Court in Calcutta making the rule absolute, the workmen will be guided by the decision of the High Court in so far as it interferes with the Hon'ble Arbitrator's Award."

The expression 'in case the High Court in Calcutta sets aside the appeal made before it' lacks in exactitude. What is meant thereby is 'in case the High Court, Calcutta discharges the Rule now pending before it'. The above written statement resolves the other part of the difficulty which was confronting made in making this award. I now proceed to make my award subject to what is stated in paragraphs 2 and 3 of the additional written statement filed on behalf of the workmen.

5. The Calcutta Licensed Measurers is a partnership of two Chambers of Commerce, namely, of Bengal Chambers of Commerce and Industry and of Indian Chambers of Commerce, Calcutta. The principal business of Calcutta Licensed Measurers is to measure by volume or by weight such consignments of Cargo exported from Calcutta as they may be asked to do by Shippers or Shipping Companies. They also do the work outside the Port area, for example, weighing of bales of Jutes in Jute Mills and verification of stock in bank. They also or other godowns in respect of goods hypothecated to the bank. They also provide Lorry and Weighbridge facilities to any one requiring such services. All these statements are to be found in paragraph 2 of the written statement filed by the workmen represented by the Calcutta Port and Dock Workers Union and are not disputed.

6. I expected, when I accepted the invitation to arbitrate, that a partnership of two Chambers of Commerce would be easy to tackle and be induced to be liberal to the workmen. But unfortunately the matter has been fought by both the parties on the principle of last ditch battle and there was no inclination to yield to any single point of demand by either side.

7. Be that as it may, it is not disputed that the Measuring Porters and Gearmen, the concerned workmen in this arbitration, are getting the following wages and allowances (*vide* Ex. 1):

- "1. Basic Scale of Wages of Measuring Porters & Gearmen paid in terms of agreement dated 1st October, 1964 Rs. 33—1—48.
2. Current Rate of Dearness Allowance paid in terms of agreement dated 29th June, 1962 Present cost of living index = 267 (Base Year 1944 = 100) Rs. 94 (now raised to Rs. 102).
3. House Rent Allowance Single Rs. 5 per month and Married and living with family Rs. 10 per month.
4. City Compensatory Allowance Rs. 5 per month.
5. Average Night Allowance Earned by Measuring Porters Paid in terms of agreement dated 2nd August, 1963—During the months of July—September, 1969—Rs. 2.10P.
6. Average Re-posting allowance—Paid in terms of Agreement dated 9th June, 1967—Earned by Measuring Porters during the months July—September, 1969—Rs. 0.58P."

In addition they claim, in their written statement, to have been paid khoraki allowance at the rate of 75 paise.

8. The publication of the rates of wages and allowance by the Wage Board for Port and Dock Workers have made these workmen restive. In paragraphs

15, 16 and 17 of the written statement of the workmen represented by the Calcutta Port and Dock Workers Union, it is stated:

- "15. It is gathered that the Wage Board has recommended that weighment porters of the Licensed Measurers Department should be fixed in the scale of pay of Rs. 104—2—116—3—140.
16. The Measuring Porters and Gearmen were on the same scale of pay at Calcutta. Therefore both the categories should be fixed in the same scale of pay.
17. The Wage Board has further recommended that the rates of D.A., C.A. and H.R. Allowance for Licensed Measurers workers should be the same as recommended for the Port and Dock Workers and the rate of D.A. should be revised every six months."

The wages and other allowances paid to Port and Dock Workers may have made them jealous and they aspired for parity with such workers. The claim made by the workmen are to be found in the following passage of their written statement.

- "(i) directing the Calcutta Licensed Measurers authorities to introduce a wage scale of Rs. 104—2—116—3—140 for the Measuring Porters and Gearmen.
- (ii) directing the Calcutta Licensed Measurers to introduce Dearness Allowance at the rate recommended by the Wage Board for the Port and Dock Workers.
- (iii) directing the Calcutta Licensed Measurers authorities to pay (a) at double the ordinary rate overtime allowance $(\text{Pay} + \text{D.A.} + \text{C.A.} + \text{H.R.A.}) \times 2$ for the work beyond normal duty hours and extra shift working and (b) on Sundays and Holidays one days wage extra by way of holiday overtime and the rate of $\text{Pay} + \text{D.A.} + \text{C.A.} \times 2$ and in addition to a substituted rest day in case Sunday becomes a Roster off day.
- (iv) directing the Calcutta Licensed Measurers authorities to pay house rent allowance at the rate of 16 per cent of basic pay subject to a minimum of Rs. 20.00.
- (v) directing the Calcutta Licensed Measurers authorities to pay City Compensatory Allowance at the rate of 10 per cent of basic pay.
- (vi) directing the Calcutta Licensed Measurers authorities to pay Khoraki allowance at the rate of Rs. 2.25 per man per day."

I am leaving out of consideration the written statement filed by the workmen represented by the National Union of Waterfront Workers because ultimately the demand as made by the workmen represented by the Calcutta Port and Dock Workers Union were only pressed before me.

9. The stand taken on behalf of the employers is principally as follows:

- (a) the firm is heavily losing of late and is unable to shoulder further financial burden; and
- (b) the existing wage structure is just, legal and proper.

10. Now, it is well known that no industry has right to subsist and to carry on business unless it pays to its workmen the bare minimum of subsistence wages. It shall always be the endeavour of everybody concerned with wage fixation to fix fair wages for workmen, whenever called upon to do so. There is however one limitation upon this endeavour. If an industry has not the capacity to pay, the wage structure should not be such as would drive the industry itself out of existence. I have, therefore, first to find out how much truth is there behind the contention of the management that the business has been losing heavily of late. It will appear from my order dated December 2, 1969:

"xxx xxx xxx xx
Annexures B & B1 to the written statement filed by Calcutta Licensed Measurers contain charts showing loss for the years 1966-67, 1967-68 and 1968-69 and profits for earlier years. Mr. Ganguly and Mr. Dutt both disputed that the employer company incurred any loss at all for the years 1966-67 to 1968-69. In these circumstances, I asked Mr. Ganguly and Mr. Dutt what opportunities they wanted to have the figures verified. I understood from them that they wanted to verify

the figures from the books of the company. Mr. Basu Thakur agreed to give inspection of such books, namely Cash Book, Ledger and Journals as also the audited Profit and Loss accounts for the years of loss mentioned above to Mr. Mahananda Ghosh on behalf of the National Union of Waterfront Workers, Mr. Bireswar Pal on behalf of Calcutta Port & Dock Workers Union and to Mr. S. M. Roy Chaudhuri & Co., Chartered Accountants, jointly appointed by two unions. The auditor will be at liberty to make requisition for other documents to Mr. K. K. Mitra, Secretary of Calcutta Licensed Measurers for cross-checking of entries in the books and if he does so Mr. Mitra will produce those books to the auditor. I make it perfectly clear that the auditor should not verify each and every figure of the books of accounts but it should be sufficient for him to make some sporadic checking in order to satisfy himself that the entries had been correctly made in the books. It is further agreed that after the inspection by the representatives of the Unions and the auditor jointly appointed by the Unions have been completed, the Arbitrator will be at liberty to appoint an independent auditor of his choice and have the accounts verified in such manner as the Arbitrator may direct. Costs of the auditor to be appointed by the unions are to be met by the unions themselves. The costs of the auditor to be appointed by the Arbitrator is to be paid by Calcutta Licensed Measurers."

In pursuance to the order, the workmen nominated Mr. S. M. Roy Chowdhury of Messrs S. M. Roy Chowdhury & Co., Chartered Accountants to examine the books of accounts of the employers. I appointed Mr. Amalendu Ganguly, Chartered Accountant, as the auditor in terms of my order dated December 2, 1969. Both the auditors submitted their respective reports. It appears from the Report submitted by S. M. Roy Chowdhury (marked Ext. I by consent) that the employer company suffered the following loss in the years 1966-67, 1967-68 and 1968-69:

	Fall in Revenue	Loss Incurred	
1966-67	Rs. 3,11,003	Rs. 2,05,012	Less Profit of Kidderpore Weigh Bridge
		56,103	
		Rs. 1,48,909/-	
1967-68	Rs. 1,78,362	Rs. 1,35,719	Less Profit of Kidderpore Weigh Bridge
		27,405	
		Rs. 1,08,228	
1968-69	Rs. 2,74,011	Rs. 3,75,157	Less Profit of Kidderpore Weigh Bridge
		57,958	
		Rs. 3,17,199"	

The report filed by Mr. Amalendu Ganguly (marked Ext. 17 by consent) gives the same figures of loss as in Ext. I. This is also supported by company's Exhibits 2 and 3. Mr. D. L. Sen Gupta appearing for the workmen did not dispute the proposition that the company was suffering loss. Mr. Samar Kumar Bose, Superintendent, Calcutta Licensed Measurers who was examined on behalf of the employers stated in his evidence:

"Our accounts for 1970 was closed on March 31, 1970. Approximately the loss sustained is Rs. 3½ lakhs, during the year."

The audited balance sheet of the year was not placed before me. It is, however, nobody's case that the company made any profit during the year ending March 31, 1970. I have thus to deal with an employer which has been suffering loss since 1966-67 and is in a bad shape of finance.

11. Mr. D. L. Sen Gupta at first tried his best to minimise the financial instability of the employers with the contention that employers were suffering loss because they were not charging proper rates for their services from their clients, who were mostly members of one or the other of the Chambers of Commerce, which constituted the partnership. This contention was proved to be wrong by documents, Ex. 20, 21(a), 22, 23(a), 24(a) and Ex. 25 namely rate charts of the employers and others. Failing there, he felt the difficulty that the company

may not have at present capacity to pay fair wages to the workmen as demanded or at any other rate. Mr. Sen Gupta thereupon reoriented his argument. He submitted that the wages that were being paid to the workmen were not even minimum wages and therefore capacity or no capacity to pay, the employer must at least pay the minimum wages to the workmen. In support of his contention that the employer have not even paying the minimum wages he placed before me the following materials:

(a) The Report of the Dearness Allowance Commission presided over by Sri Gajendragadkar in which the following passage appears at page 20 of the Report:

"4.10. Having regard to all the circumstances, we have come to the conclusion that it would not be unreasonable to hold that at the present prices the income level upto Rs. 150 per month represents the subsistence level. Besides, it may be added that during our inquiry there appeared to be general consensus on this point."

(b) Report of the Central Wage Board for Port and Dock Workers at Major Port, 1969, in which the following passage appears at page 360:

"7.1.57. According to the Dearness Allowance Commission, a wage of Rs. 150 p.m. represented the subsistence level at 185 points in the all-India Working Class Consumer Price Index Number (1949-100). If stepped upto 215 points, obviously this subsistence level wage would be higher. On a comparison with the lowest existing minimum wages in the major ports (excluding the benefits accruing from fringe benefits, ex-gratia, etc.), we have found that it does not compare favourably with what is subsistence wage in terms of DA Commission Report."

Calculated at 215 points the subsistence level would go upto Rs. 174.30.

(c) A quotation from the gazetted copy of the same Report (marked Ext. G) prescribing the salary for Gearmen and Weighment Porters:

"F. *Licensed measures' Workers*.—Pay scales have been recommended for the licensed measurers' workers at Bombay, Calcutta, Madras and Cochin ports. These workers may opt for either the existing pay structure or the pay structure recommended by the Board.

Category	Port	New scale
3. Weighment porters	Calcutta	104-2-116-3-140.
4. German	Bombay, Calcutta and Madras	100-2-130"

(d) Another quotation from Ex. G prescribing the rates of dearness allowance for all employees namely:

Dearness Allowance rates at Consumer Price Index, No. 215 (1949—100).

	Basic pay range	Amount of D.A. p. m
Up to 139		72
140-179		99
180-239		123
240-429		147
430-479		161
480-529		165
530-572.		Amount by which actule basic pay plus D. A. falls short of Rs. 694/-
573 and above		121

(e) Ex. K being a computation chart of need based minimum wage as submitted by Port and Dock Waterfront Workers Federation of India before the Central Wage Board for Port and Dock Workers. The chart was prepared in two

parts, the first part dealing with the minimum need based wage and the second part dealing with the minimum need based wage compiled in accordance with the recommendations of the Nutrition Advisory Committee, East India. According to the first part the minimum wages would come upto Rs. 275.87. According to the second part of the chart the minimum would come upto Rs. 182.53.

12. I set out hereinbelow the relevant portions from the oral evidence of Prasanta Kumar Dutt who prepared the Chart, Ext. K:

"This is the chart which was filed by ourselves before the Central Wage Board for Port & Dock Workers. At that time the cost of living index was 160. The base that I took was the year 1949. In the right hand portion of the chart the calculation was made on the basis of the figures given by the Nutrition Advisory Committee. At present the working class living index has moved in the group 741-750.

Cross examination.—The concerned workmen are given by the company two Khaki Shirts in a year and also one Woollen Jersey in every two years. The concerned workmen also get free medical treatment at the expense of the company. Even if they are hospitalised the company bears the cost of medicines and also part of hospital expenses at discretion. (Shown Ex. K). This chart was prepared on the assumption of three consumption units at the start of one's career."

13. On the above materials, Mr. Sen Gupta contended that the minimum wage of the concerned workmen should have been at least in the region of Rs. 175, at the time when the Report of the Wage Board was published and should be in the region of Rs. 200, now that the consumer price index has gone up higher. The wages paid to the workmen at the rate of Rs. 33-1-48 plus dearness allowance of Rs. 102, it was contended, fell far short of the subsistence wages.

14. Mr. D. Basu Thakur, appearing for the management, however, contended that the above calculation was faulty. Over and above the monthly salary and dearness allowance, the workmen were getting house rent allowance at the rate of Rs. 5 for bachelors and Rs. 10 for married employees and city compensatory allowance of Rs. 5 per month. They were further getting two khaki shirts in a year, one woollen jersey in every two years and also free medical treatment. He submitted that the definition of wages in Section 2(rr) of the Industrial Disputes Act was wide enough to include all such allowances and benefits within the scope of wages. Therefore, merely because the scale of salary was Rs. 33-1-48, he submitted, it could not be argued that the wages were much too low, in disregard of other allowance paid to workmen. In my opinion this argument is faulty. Even though I throw the full weight of house rent and the city compensatory allowance on the scale of salary, the wages would not be more than either Rs. 43-1-48 (for bachelors) or Rs. 48 (for married workmen). Adding the dearness allowance of Rs. 102 to either of these two figures the sum total would not reach either Rs. 175 or Rs. 200, being the minimum subsistence level contended for by Mr. Sen Gupta. It is not disputed and it also appears from Ext. 26(a) that the consumer price index number for industrial workers in the year 1970 is 729 (the base year being 1939-100).

15. Considering all these materials, I am of the opinion that the scale of wages which is being paid by the management falls little short of subsistence wages. Regard being had to the fact that the company is in a bad shape of finance and may not be able to bear heavy financial burden, I make an award of the minimum load that it must carry. All told the workmen are now being paid in salary, dearness allowance, house rent allowance and city compensatory allowance between Rs. 145/150 to 160/165, the total being taken as the wages paid to them. The employer must go up to meet the difference by which the present wages fall short of minimum wages. Now, Mr. Sen Gupta has contended for minimum wages either at Rs. 175 or at Rs. 202. In the present state of evidence, I think that a mesne between two figures may be taken as the proper figure and I fix the minimum wages at Rs. 188.

16. Taking Rs. 188 as the minimum wages, all that I need to do is to revise the scale of salary from Rs. 33-1-48 to Rs. 76-1-91. On such upgrading of scale of salary being made, each Measuring Porter or Gearman will be getting, at the start, Rs. 76 as salary, Rs. 102 as dearness allowance, Rs. 5 as city compensatory allowance and Rs. 5 (for bachelors) or Rs. 10 (for married men) as house rent allowance, total Rs. 188 or Rs. 193 as the case may be.

17. Mr. Sen Gupta ultimately asked for a revision in the scale of pay only so as to bring it up to the level of minimum wages. I take note of the fact that the company has at the present moment not the capacity to pay fair wages. I, therefore, merely revise the scale of salary and do not think it right to revise (a)

dearness allowance, (b) rates for extra-shift bookings, Sunday/Holiday bookings, and work beyond scheduled hours of work (c) House Rent allowance, (d) City Compensatory allowance, and (e) Khoraki allowance. Nothing further need be done at this stage. The revision in the scale of pay is to take effect from the date of publication of this award, instead of October 1, 1969 as demanded by the workmen. Since Mr. Sen Gupta changed his case at the last stage of argument, I direct that parties shall bear their own costs of this arbitration.

This is my award.

B. N. BANERJEE, Arbitrator.

Dated, April 30, 1970.

[No. 28/3/69-LW.III/P&D.]

ORDER

New Delhi, the 8th May 1970

S.O. 1846.—In exercise of the powers conferred by clause (d) of sub-section (1) of section 10 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby makes the following amendment in the Order of the Government of India in the Ministry of Labour, Employment and Rehabilitation (Department of Labour and Employment) No. S.O. 1069, dated the 11th March, 1970, namely:—

In the said order for the Schedule, the following Schedule shall be substituted, namely:—

"SCHEDULE

Whether the payment of arrears of Dearness Allowance arising out of increases granted in terms of recommendations of Central Wage Board for Port and Dock Workers to the Stevedore workers employed by Kandla Stevedores' Association Limited, on the ships other than those of Food Department and General Cargo Ships, with effect from 13th September, 1967 to 24th November, 1969, is due to them? If not, what relief and with what effect it is due to the concerned workmen."

[No. 78/1/70-P & D.]

C. RAMDAS, Dy. Secy.

(Department of Labour and Employment)

New Delhi, the 5th May 1970

S.O. 1847.—Whereas the Central Government, being satisfied that the public interest so required, had declared by a notification made in pursuance of the provisions of the proviso to sub-clause (vi) of clause (n) of section 2 of the Industrial Disputes Act, 1947 (14 of 1947), [being the notification of the Government of India in the Ministry of Labour, Employment and Rehabilitation (Department of Labour and Employment) No. S.O. 4739, dated the 17th November, 1969] service in any oil field to be a public utility service for the purposes of the said Act for a period of six months from the 22nd November, 1969;

And whereas the Central Government is of opinion that public interest requires the extension of the said period by a further period of six months;

Now, therefore, in exercise of the powers conferred by the proviso to sub-clause (vi) of clause (n) of section 2 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby declares the said service to be a public utility service for the purposes of the said Act for a further period of six months from the 22nd May, 1970.

[No. F. 1/28/70-LR.I]

New Delhi, the 8th May 1970

S.O. 1848.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the following award of the Central Government Industrial Tribunal, Calcutta in the industrial dispute between the employers in relation to the National and Grindlays Bank Limited and their workmen, which was received by the Central Government on the 1st May, 1970.

CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL, CALCUTTA

REFERENCE No. 108 of 1969

PARTIES :

Employers in relation to the National and Grindlays Bank Limited.

AND

Their workmen.

PRESENT :

Mr. B. N. Banerjee—Presiding Officer.

APPEARANCES :

On behalf of Employers—Sri M. S. Bala.*On behalf of Workmen*—Sri A. D. Singh.

STATE: West Bengal.

INDUSTRY: Banking.

AWARD

By Order No. 23/106/69-LR.II, dated December 9, 1969, the Government of India, in the Ministry of Labour, Employment and Rehabilitation (Department of Labour and Employment), referred the following industrial dispute between the employers in relation to the National and Grindlays Bank Limited and their workmen, to this Tribunal for adjudication, namely:

"Whether the action of the management of the National and Grindlays Bank Limited, Calcutta in making appointment to seven posts in the subordinate category of staff during the period from 27th January to the 7th April, 1969 was justified, having regard to the established practice of notifying the vacancies for the benefit of the relatives of the workmen and understanding reached on the 17th August, 1967 between the bank and the National and Grindlays Bank Staff Union. If not, what should be the procedure to be adopted by the bank to get the vacancies filled up afresh?"

2. The workmen were represented by the General Secretary, National and Grindlays Bank Staff Union. According to the workmen, the management of Bank, Calcutta, recruited, (i) Dlvakar Barik, (ii) Pran Bandhu Mahato, (iii) Subol Chandra Adhikari, (iv) Priyanath Bhattacharjee, (v) Subedar Singh, (vi) Brij Kishore, (vii) Gopeshwar Shukla and several other persons permanently, in the subordinate cadre towards the end of 1968 and in 1969. In paragraph 2 of the written statement, the workmen pleaded:

"That the above recruitment was made by the Bank in full collusion with the rival union i.e. National and Grindlays Bank Employees Union, who are patronised by the Bank. These recruitments were made to accommodate the relations of the members/supporters of the rival union, in order to weaken this union and/or demoralise the members/supporters of this union."

Further, in paragraphs 4 and 5 of the written statement it was stated:

"4. That it had been the established practice in the past that all the vacancies were notified and the relations of the staff were given preference, in order to fill up those vacancies. But all of a sudden the management made a departure from the above practice and never notified the departure to the information of the staff.

5. That the management even never cared to honour their gentlemen's assurance and understanding given to this union which was arrived at between the management and this union on 17th August, 1967 and violated the agreement dated 19th October 1966."

On the above allegations, it was prayed (i) a declaration that the recruitment was illegal and mala fide and (ii) a declaration of proper policy and procedure for the recruitment of subordinate cadre in the Bank.

3. The management also filed a written statement. In paragraph 6 of the written statement by the management the contentions in paragraph of the written statement of the workmen were admitted. In paragraph 7 of the written statement of the management it was stated that the recruitments were made on the basis of suitability and without preference being given to any candidate for relationship

with members or supporters of any particular union. In paragraph 8 of the written statement of the management, it was denied that the employees union recommended certain candidates for recruitment to the management. By paragraphs 9 and 10, the management denied the allegations made in paragraphs 4 and 5 of the written statement of the workmen in the following language:

"9. With reference to paragraph 4 of the Petition, the Opposite Party denies that there was any established "practice" to notify the vacancies as stated by the petitioners nor was there any "departure" from any such "practice". The Opposite Party did not display any notice as there was no obligation on their part to display it. Without prejudice to this submission, the Opposite Party states that the staff were aware of the vacancies.

10. The Opposite Party denies the statements in paragraph 5 of the petition. There was no "understanding" reached with the Applicant and on perusal of the document under reference it will be seen that it was no more than a recommendation by the Assistant Labour Commissioner to notify future vacancies."

4. There is no dispute that between January 27 and April 7, 1969, the Calcutta branches of National and Grindlays Bank Limited recruited as many as eleven persons in the subordinate staff (*vide* Ext. F). The workmen examined two witnesses to prove that there was a practice, in the past, to notify all vacancies and to give preference to relatives of the staff in filling up the vacancies and also to prove that the practice was departed from any collusion with the National and Grindlays Bank Employees Union, which had rivalry with the trade Union of the workmen in the present reference represented by the National and Grindlays Bank Staff Union. The evidence is colourless. The first witness for the workmen, Ramdeo Singh, stated:

"(i) Previously, whenever recruitments used to be made, there were notices of recruitment published on the notice board.

(ii) The management asks the Unions and then according to the directions of the Unions makes the selection."

In cross-examination, however, he admitted that there was no evidence with him to show that the Bank made recruitments in collusion with the National and Grindlays Bank Employees Union. The other witness named Dukchor Bari stated in his evidence:

"(i) Long ago, whenever, there was a vacancy, the management used to prefer the relatives of the Bank employees for filling up such vacancies. This practice ceased to be in operation during the months of January to April, 1969. During this period one or two persons were recruited.

(ii) Persons who have now been recruited are members of the other union."

In cross-examination however he mellowed down and said:

"Even if the intention was to recruit one man there used to be notices put up. I cannot however inform the Tribunal when, if at all, a notice was published for the recruitment of one man only."

From the evidence tendered on behalf of the workmen, I am not convinced that the established practice in the past was that "all vacancies were notified and relations of the staff were given preference". Nor am I impressed by the allegation that all recruitments were made in collusion with the rival union, namely the National and Grindlays Bank Employees union.

5. I have now to see whether there was, as alleged in paragraph 5, a gentlemen's assurance and understanding given by the Bank to the National and Grindlays Staff Union on 17th August, 1967. That document is a report of the Conciliation Officer, on a previous dispute with the Bank management and the present trade union, marked Ext. D by consent, and reads as follows:

"Mr. A. S. Barrow, Accountant with Shri A. Roy Choudhury, Labour Adviser of the Bank on behalf of the management while S/Shri A. D. Singh and G. A. Singh, appeared on behalf of the union. The management agreed to ensure in future that union dues are not deducted from those employees who have not authorised the bank to do so. As regard recruitment to the sub-staff category, the bank should, whenever any vacancy arises, display a notice on the notice board for the general information of all eligible candidates. In the matter of recruitment the bank shall follow the provisions of the bipartite settlement dated 19th October 1966 and their prevalent practice with regard to relations. The union is satisfied with this and in case there is any breach of such

understanding they are free to take up the matter in accordance with law.

This case is not pursued further "(Underlined by me for emphasis).

I do not find from Ext. D that any agreement was made or any assurance was given by the Bank. The Assistant Labour Commissioner wished that whenever a new vacancy would arise, the Bank should display a notice on the notice board for the general information of all eligible candidates. By not giving such a notice the Bank might have disregarded the wish of the Assistant Labour Commissioner but did not violate any agreement or disregard any assurance.

6. Although the grievance, in the form made by the workmen, fails, I need consider the dispute from a particular aspect. Recruitment is certainly the management's function. It is the duty of the management to recruit the best candidate available, so that the work may be run by efficient men. Workmen recruited have no hereditary claim to the office. But after all this is said, a point of social justice remains, namely, that qualifications being equal sons or relatives of an employee of the Bank should be preferred in filling up future vacancies. By its letter dated October 23, 1967 (vide page 15 of Ext. E), the bank agreed:

"(1) In recruiting clerical staff the following criteria will be observed.

Other things being equal, preference will be given to one son or daughter or dependent; (a) of a retired employees, (b) any employee who has had to leave the service of the Bank through disablement/sickness, (c) an employee on point of retirement.

(2) In all such cases the applicant must sit with others and obtain a satisfactory pass and be otherwise fit for appointment.

* * *

In respect of recruitment of subordinate staff the conditions laid down in paragraphs 1(a), (b) and (c) will also apply."

To do so is not to encourage hereditary claim to any office but when qualifications are equal, there is no reason why a particular candidate should not get the benefit of past loyal services put in by his predecessor relative or relatives.

7. Mr. Bala, who was appearing for the employers, agreed that in future the Bank would publish a notification of recruitment on the notice Boards of the local branches and on the notice board of the main office of the Bank, it being distinctly understood that such notices will be published only in the branches of the particular locality, say for example if the recruitment is for Calcutta the notification will be published at the Calcutta branches and at no other place. Mr. A. D. Singh, appearing for the workmen, was willing to accept the procedure as a proper procedure. In my opinion, the best thing to do in the circumstances of the case is to direct the Bank to do so herein before stated.

8. So far as appointments already made I should not touch them, because the persons have already been permanently appointed and are now serving for well nigh over a year. They are not parties to this reference and I should not ask them to vacate their office in their absence. Mr. Singh also did not press for the same.

9. In the view that I take, the award that I should make is that the action of the management of the National and Grindlays Bank Limited in making the appointment to seven posts in the subordinate cadre of the staff during the period from 27th January to 7th April 1969 need not be condemned regard being had to the procedure as to future recruitment as hereby agreed upon. Those posts were filled and need not be filled afresh. But, in future for recruitments in a particular locality, prior notices of such recruitment shall be published in the notice Board of all the branches in that locality. Applications need be confined to the relatives of the Bank employees only. The selection will, however, be made by the management to the best of its discretion, always keeping an eye to select the best candidate from amongst the applicants. But qualifications being equal, preference shall be given to a relative of a past or present employee, who in the opinion of the management is the best amongst the candidates, who applied or presented themselves to fill up the vacancy.

This is my award.

(Sd.) B. N. BANERJEE,
Presiding Officer.

Dated, April 23, 1970.

[No. 23/106/69/LRIII.]

ORDERS

New Delhi, the 2nd May 1970

S.O. 1849.—Whereas the Central Government is of opinion that an industrial dispute exists between the management of the South India Insurance Company Limited Bombay, and their workmen in respect of the matters specified in the Schedule hereto annexed;

And, whereas the said dispute is of such a nature that industrial establishments of the South India Insurance Company Limited, Bombay situated in more than one State are likely to be interested in, or affected by, such dispute;

And, whereas the Central Government is of opinion that the said dispute should be adjudicated by a National Tribunal;

Now, therefore, in exercise of the powers conferred by section 7B, and sub-section (1A) of section 10 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby constitutes a National Tribunal at Bombay, of which Shri N. L. Abhyankar, President, Industrial Court, Bombay shall be the Presiding Officer, and refers the said dispute to the said Tribunal for adjudication.

SCHEDULE

“Whether the demands of the workmen of Messrs South India Insurance Company Limited, Bombay in respect of the following matters are justified? If so, to what relief are the workmen entitled?

1. Classification of Employees.
2. Revision of scales of pay and fitment of employees in the revised scales.
3. Dearness Allowance.
4. Increments, Special increment and incentive increments.
5. Other allowances.
6. Special Allowances.
7. Overtime payment.
8. Leave—different kinds of leave, quantum of leave and leave rules.
9. Leave substitutes.
10. Amenities and subsidies.
11. Free Medical Aid.
12. Provident Fund.
13. Gratuity.
14. Direct recruitment.
15. Promotion policy.
16. Maternity Benefits.
17. Miscellaneous:
 - (a) Hours of work and late coming concession
 - (b) Change-over to clerical side.
 - (c) Festival advance.
 - (d) Loans for purchase of vehicles.
 - (e) Holidays and Sectional holidays.
 - (f) Uniforms to sub-staff, drivers, watchmen and sweepers.
 - (g) Meritorious service reward.
 - (h) Maintenance of seniority lists and protection of seniority.
 - (i) Introduction of new grades and conversion to clerical grades.
 - (j) Reimbursement of expenses incurred by Negotiating Committees.
 - (k) Age of retirement.
 - (l) Leave Travel concession.
 - (m) City Compensatory Allowance.
 - (n) Vehicles for outdoor staff.
 - (o) Conveyance Expenses.
 - (p) Settlement of pending grievances.
 - (q) Existing rights and privileges.
 - (r) Housing facilities”.

New Delhi, the 4th May 1970

S.O. 1850.—Whereas the industrial dispute specified in the schedule hereto annexed is pending before the Central Government Industrial Tribunal, Delhi;

And, whereas for the ends of justice and grounds of convenience of the parties, the said dispute should be disposed of without delay;

Now, therefore, in exercise of the powers conferred by sub-section (1) of section 33B of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby withdraws the proceedings in relation to the said dispute pending before the Central Government Industrial Tribunal, Delhi and transfers the same to the Central Government Industrial Tribunal (No. 2) Dhanbad, constituted under section 7A of the said Act, and directs that the said Tribunal shall proceed with the said proceedings from the stage at which they are transferred to it and dispose of the same according to law.

SCHEDULE

Sl. No.	Parties to the dispute	Order No. and date	S.O. No. of Gazette and year of publication
1	2	3	4
1.	Punjab National Bank and their workmen	23/118/69/LRIII dated the 25th March, 1970.	1280/70

[No. 23/118/69/LRIII.]

New Delhi, the 11th May 1970

S.O. 1851.—Whereas the Central Government is of opinion that an industrial dispute exists between the employers in relation to the Canara Banking Corporation Limited and their workmen in respect of the matters specified in the Schedule hereto annexed;

And, whereas the Central Government considers it desirable to refer the said dispute for adjudication.

Now therefore, in exercise of the powers conferred by clause (d) of sub-section (1) of section 10 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby refers the said dispute for adjudication to the Central Government Industrial Tribunal, No. 2, Bombay constituted under section 7A of the said Act.

SCHEDULE

Whether the management of Canara Banking Corporation Limited, Mangalore is justified in not extending the following benefits to Shri K. K. Kumaran, Night Watchman in its Trichur Branch? If not, to what relief is he entitled and from what date?

- (i) Weekly holiday.
- (ii) Eight National/Festival Holidays in a calendar year.
- (iii) Overtime allowance.
- (iv) Free supply of uniforms and shoes and
- (v) Washing allowance.

[No. 23/17/70/LRIII]

S.O. 1852.—Whereas the Central Government is of opinion that an industrial dispute exists between the employers in relation to the Bank of Baroda and their workmen in respect of the matter specified in the Schedule hereto annexed;

And, whereas the Central Government considers it desirable to refer the said dispute for adjudication.

Now, therefore, in exercise of the powers conferred by section 7A, and clause (d) of sub-section (1) of section 10 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby constitutes an Industrial Tribunal of which Shri P. P. R. Sahwney shall be the Presiding Officer, with headquarters at Chandigarh and refers the said dispute for adjudication to the said Tribunal.

SCHEDULE

Whether the action of the management of Bank of Baroda, in dismissing Shri S. N. Goel, a clerk of Civil Lines Branch Jullundur of the Bank, was justified? If not, to what relief is he entitled?

[No. 23/122/69/LRIII]

S. S. SAHASRANAMAN, Under Secy.

(Department of Labour and Employment)

New Delhi, the 11th May 1970

S.O. 1853.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the following award of Shri V. P. Pratap, Assistant Labour Commissioner (Central) Jabalpur and Arbitrator, in the industrial dispute between the employers in relation to the management of Banki Colliery of Messrs National Coal Development Corporation Limited, Post Office Bankimogra, District Bilaspur, Madhya Pradesh and their workmen, which was received by the Central Government on the 4th May, 1970.

ARBITRATION AWARD

(Under Section 10-A of the Industrial Disputes Act, 1947)

[In the matter of an industrial dispute between the management of Banki Colliery (N.C.D.C. Ltd.), P.O. Banki Mongra, Distt. Bilaspur (MP) and their workmen represented by M.P. Colliery Workers Federation, Banki Branch, P.O. Banki Mongra, Distt. Bilaspur (MP)]

PRESENT:

Shri Ved Prakash Pratap, Assistant Labour Commissioner(C), Jabalpur.
Arbitrator

APPEARANCES:

Representing Employers.—Shri Brij Nandan Prasad, Group Personnel Officer.

Representing Workmen.—Shri Rambilas Sobhanath, Secretary, M.P. Colliery Workers Federation, Banki Branch.

AWARD

Under Arbitration Agreement dated the 4th November, 1969 entered into between the above parties under section 10-A of the Industrial Disputes Act, 1947 and published by Government in the Gazette of India under order No. 8/107/69-LRJI, dated the 3rd December, 1969, the following dispute was referred to me for arbitration:—

“Whether the action of the management in dismissing Sri Seetaram s/o Ramsaran with effect from 15th May, 1969 is justified? If not to what relief is he entitled?”

As per the last para of the arbitration agreement I was required to give my award within a period of 3 months from 1st January, 1970 or within such further time as is extended by mutual agreement between the parties in writing. Both the parties extended the period in writing upto 30th April, 1970 for giving the award.

As the period was to reckon w.e.f. 1st January, 1970, notices were issued to the parties on 1st January 1970 for submitting statements of their cases and rejoinders with copies to opposite parties. The management raised some preliminary objections in their written statements, which are reproduced below:—

- (1) No branch of M. P. Colliery Workers Federation has been functioning validity at Banki in 1968-69 and the above dispute could not, therefore, be taken up by M. P. Colliery Workers Federation, Banki Branch.
- (2) Shri Rambilas Sobhanath has not been validity elected as Secretary, M.P.C.W.F., Banki branch and as such he has no right to represent the above case.
- (3) As selection for the term 1968-69 for the Office bearers of Banki branch of M.P.C.W.F. had taken place but the same was declared irregular

by the General Secretary, M.P.C.W.F. and as such during this period no valid branch of M.P.C.W.F. had functioned at Banki Colliery. Copy of the election results as communicated to the management and of the latter received from the General Secretary in this behalf are enclosed herewith.

- (4) There is no provision in the Constitution of the M.P.C.W.F. to extend the terms of two years particularly when an election had taken place. Just because fresh election was irregular, the old branch Executive cannot be given an automatic extension by the General Secretary of MPCWF. Another election should have been conducted. Even otherwise, there is no provision in the constitution of M.P.C.W.F. for extension by General Secretary of the term beyond two years. At the time of raising the dispute and for the dispute under reference, Shri Rambilas Sobhanath has not been authorised (and could not be authorised) to raise the dispute and to sign agreements on behalf of M.P.C.W.F. as required under Section 10-A, Sub-Section (2) of the I. D. Act.
- (5) Shri Rambilas Sobhanath has not been elected as Executive Committee member of the Federation as per Rule-11 of the Constitution of M.P.C.W.F. and as such cannot be authorised for raising industrial dispute or for signing settlements.
- (6) Even if, it is considered that he is the Secretary of Banki branch of M.P.C.W.F., his function is to help the Officers of the Federation during conciliation and other legal proceedings as indicated in Rule-8(d)(d) of the Constitution of M.P.C.W.F. A branch Secretary has no right to raise an industrial dispute or sign arbitration agreement on behalf of workmen.

On the grounds mentioned above, Shri Rambilas Sobhanath in particular and M.P.C.W.F. Banki in general cannot represent the workmen concerned and as such no dispute between the management and the workman exists.

The union in its rejoinder submitted as under: —

आइटम नं० 1 से 6 तक काक स्टेटमेंट 4-11-69 को प्रार्थी और श्री माधुर के बीच हुए अर्बिट्रेशन एग्रीमेंट में विवाद का विषय नहीं है इस पर कोई विचार नहीं किया जाये।

The following issue was, therefore, framed in connection with the above:—
“Whether the management is estopped from challenging the validity of the arbitration agreement?”

It was agreed that if the above issue is decided in positive it was to be determined whether reference of the dispute through the instant arbitration agreement was valid.

On the basis of the pleadings of the parties, the following issues were also framed:—

- (1) Whether the domestic enquiry was unfair.
- (2) Whether the findings of the enquiry officer are perverse.
- (3) Whether the order given by the Asstt. Engineer to Sri Seetaram was reasonable and lawful.
- (4) Whether the dismissal order issued by the Dy. Superintendent of Collieries is incompetent.

Thereafter the parties submitted their respective documents. On receipt of documents arbitration proceedings were fixed on 25th February 1970 but, as none was present on behalf of the union, proceedings were adjourned for 20th March 1970. On receipt of joint request for postponement, proceedings were postponed for 3rd April 1970 and again on unions' request for 20th April 1970. Proceedings were held on 21st April 1970 and 22nd April 1970 and closed after recording of evidences and arguments.

The most important point to be decided in this case is whether the management is estopped from challenging the validity of the arbitration agreement. In case the management is not estopped from challenging the validity of the arbitration agreement, it is to be decided whether the arbitration agreement is valid or bad in law.

My attention was invited to the decision of the Industrial Tribunal, Bombay in the case of East Asiatic Company (India) (P) Ltd. (1960-I-LLJ-383). The Tribunal had decided that even on a joint reference to the adjudication U/S 10(2) of the Industrial Disputes Act, 1947 employer is not estopped from pleading that what is referred to is not an industrial dispute. The only difference between reference of an industrial dispute U/S 10(2) and 10-A of the Industrial Disputes Act, 1947 is that in the former case the dispute is referred for adjudication whereas in the later case for arbitration. In both the cases it is referred on the joint request of the parties. In conformity with this decision I held that the management is not estopped from challenging the validity of the arbitration agreement.

A perusal of the arbitration agreement shows that the trade union representing the workmen in question is M.P. Colliery Workers Federation, Banki Branch, P.O. Banki Mongra, (Distt. Bilaspur) M.P. As per rule 3(b) of the Industrial Disputes (Central) Rule, 1957 the arbitration agreement is to be signed 'in the case of a workman, by any officer of a trade union.....'. The phrase 'trade union' has not been defined in the Industrial Disputes Act, 1947. As per Section 2(h) of The Trade Unions Act, 1926 "trade union" means any combination whether temporary or permanent, formed primarily for the purpose of regulating the relations between workmen and workmen or between employees and employers or for imposing restrictive conditions on the conduct of any trade or business and includes any federation of two or more trade unions. Thus a trade union may be a combination for the purpose of regulating the relations etc. It implies that it must have its own rules or constitution providing for and regulating the combination of its members, relations inter se and the manner for achievement of its purpose. M.P. Colliery Workers Federation, Banki Branch, P.O. Banki Mongra does not have any of its rules or constitution separate from that of M.P. Colliery Workers Federation. Therefore, M.P. Colliery Workers Federation, Banki Branch cannot be said to be a trade union by itself. It is only a branch of its parent body, namely M.P. Colliery Workers Federation.

The management has taken the plea that Shri Rambilas Sobhnath had not been validly elected as Secretary, M.P. Colliery Workers Federation, Banki Branch because the election for the term 1968-69 of the office bearers of Banki Branch of M.P. Colliery Workers Federation had been declared irregular by the General Secretary M.P. Colliery Workers Federation and that no other election had taken place within this period. According to the management there is no provision in the constitution of M.P. Colliery Workers Federation to extend the term of two years particularly when an election had taken place. Further, according to the management just because fresh election was irregular, the old branch executive cannot be given automatic extension.

Clause 9(c) of the constitution of M.P. Colliery Workers Federation providing for office bearers of the branch reads as under:—

"All members of the Executive Committee shall be elected for a term of two years and shall be eligible for re-election."

A trade union is a collective body of the members forming it. It is something abstract and, therefore, it is to be represented by its office bearers in all proceedings concerning it and, therefore, there cannot be any vacuum in the office bearers of a union or its branch. Even Section 28-J of the Indian Trade Union (M.P. Amendment) Act, 1960 provides only the Industrial Court to be the competent authority to decide as to who is the lawful officer of a registered trade union. This provision is invoked by an officer or set of persons who claim to be the legal office bearers of the union in case of a dispute. The word dispute clearly implies that there must be some other set of persons claiming to be the lawful officer of the union. There is no other set of persons claiming to be lawful officers of the union and there is no decision of the Industrial Court to the contrary. Further Clause 25 of the constitution of M.P. Colliery Workers Federation provides the procedure for termination of the membership of the executive committee of the Federation and its branches. It has not been shown that Shri Rambilas Sobhnath had lost membership of the executive committee of this branch in terms of this clause. I am, therefore, of the view that Shri Rambilas Sobhnath continued to be the lawful Secretary of M.P. Colliery Workers Federation, Banki Branch on the date the arbitration agreement was signed. I decide accordingly.

As per the constitution of M.P. Colliery Workers Federation a Branch has got only limited functions and duties to perform. Clause 8(d) provides as under:—

"Help officers of the Federation during conciliation and other legal proceedings and effectively participate in all such proceedings."

As against this the functions, duties and powers of M.P. Colliery Workers Federation are much wide. The relevant provisions of its constitution are reproduced below:—

Clause 3: Objects.

(c) to negotiate and settle all disputes arising between members and employers on all questions concerning their employment,

(1) to establish just industrial relations by securing redress of grievances without stoppage of work by means of negotiations and conciliation and failing which by arbitration or adjudication. But where adjudication is not applied and settlement or dispute by arbitration is not available, to facilitate recourse on the part of the workers to other legitimate methods including strike or any suitable form of satyagraha.

Clause 19: Methods of Redress of Grievances.

(a) The Federation shall, as far as possible, seek redress of grievances without stoppage of work and by means of negotiations, conciliation, arbitration and adjudication.

(b) When all methods specified above have failed the Federation may give a call for strike. But no such call shall be given unless the Executive Committee called specifically for the purpose by a 2/3 majority so decides and

(c) All strike notices shall be served by the Federation.

A perusal of above provisions would indicate that the branch has no power to enter into legal proceedings. All powers of resolving the disputes through conciliation, arbitration, adjudication or strike rest with the Federation. Therefore, also the M.P. Colliery Workers Federation, Banki Branch has no authority to enter into arbitration agreement.

In terms of explanation of Rule 8 of the Industrial Disputes (Central), Rules, 1957 "officer" means any of the following officers, namely:—

- (a) The President;
- (b) The Vice-President;
- (c) The Secretary (including the General Secretary);
- (d) The Joint Secretary; and

(e) Any other officer of the trade union authorised in this behalf by the President and Secretary of the union.

Although Shri Rambilas Sobhanath was one of the members of the Executive Committee in terms of Clause 15(b)(ix) of the constitution of the federation, being the Secretary of the branch, it has not been proved that he had been authorised by the President and Secretary of the union to enter into arbitration agreement. The management has stated in its written statement that Shri Rambilas Sobhnath had not been elected as executive committee member of the federation as per Rule 11 of the Constitution of M.P. Colliery Workers Federation. This has not been denied by the workman in its rejoinders or at any later stage. However, Shri Rambilas Sobhnath has signed the arbitration agreement representing workmen as Secretary, M.P. Colliery Workers Federation. During the arbitration proceedings it was challenged by the management specifically that Shri Rambilas Sobhnath was not the Secretary of M.P. Colliery Workers Federation. This was not even denied by Shri Rambilas Sobhnath who was representing workman during the arbitration proceedings. It is, therefore, established that Shri Rambilas Sobhnath was not Secretary of M.P. Colliery Workers Federation and therefore, his representation in that capacity in the arbitration agreement is void.

I decide that reference of the dispute through instant arbitration agreement dated the 4th November, 1969 is bad in law because of the following reasons:—

- (1) M.P. Colliery Workers Federation, Banki Branch was not competent to represent workmen of Banki Colliery in the Arbitration; and
- (2) Shri Rambilas Sobhnath, who has represented himself on behalf of the workmen as Secretary, M.P. Colliery Workers Federation was not the Secretary of M.P. Colliery Workers Federation. As I have held that reference of this dispute through arbitration agreement is bad in law no award is called for.

(Sd.) V. P. PRATAP,

JABALPUR,

Assistant Labour Commissioner (Central),
Jabalpur & Arbitrator.

Dated the 27th April, 1970.

[No. 8/107/69-LRIL.]

New Delhi, the 12th May 1970

S.O. 1854.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the following award of the Industrial Tribunal, Gujarat, Ahmedabad in the industrial dispute between the employers in relation to the management of Oil and Natural Gas Commission, Ankleshwar, and their workmen, which was received by the Central Government on the 4th May, 1970.

BEFORE SHRI INDRAJIT G. THAKORE, PRESIDING OFFICER INDUSTRIAL TRIBUNAL, AHMEDABAD

REFERENCE (IT-C) No. 1 of 1969

ADJUDICATION

BETWEEN

Oil & Natural Gas Commission, Ankleshwar.

AND

The workmen employed under it.

In the matter of terminating services of Shri C. D. Mehta, Truck Driver.

AWARD

This industrial dispute between the employers in relation to the management of Oil and Natural Gas Commission, Ankleshwar and its workmen has been referred to me for adjudication under clause (d) of sub-section (1) of Section 10 of the Industrial Disputes Act, 1947 by the Central Government by their Order of the Ministry of Labour, Employment and Rehabilitation (Department of Labour and Employment) No. S.O. 25(4)14/68-LRI dated the 1st May, 1969. The dispute relates to a single demand which is as follow :—

“Whether the action of the Project Manager, Oil and Natural Gas Commission, Ankleshwar in terminating the services of Shri C. D. Mehta, Truck Driver is justified? If not, to what relief is he entitled?

2. After the matter was fixed for hearing on numerous occasions, I am glad the parties have come to terms and requested me to make an award in terms thereof. The terms of the settlement are as follows:—

“That without prejudice to the contention of ONGC hereinafter referred to as ‘Commission’ that services of an employee can be terminated at any time without assigning any reason according to the contract of service or under the Conduct, Discipline and Appeal Regulations and without prejudice to the contention of Shri C. D. Mehta that the services can be terminated only as per the standing orders, it is hereby agreed that with a view to maintain and continue the existing improved industrial relations between the parties to the disputes and also on appeal from the General Secretary, ONGC Employees Union (INTUC) to the Chairman for consideration of the case on sympathetic ground, the parties have agreed as below :—

1. Shri C. D. Mehta will be taken back in the employment of the Commission on the same terms and conditions and on the same post on which he was working in the Commission prior to the termination of his service from the Commission.
2. That the employee so taken back shall be given an *ex-gratia* payment equal to what he would have got had he been suspended subject to ceiling of Rs. 4500.
3. That his services from the date of termination till the date of taking back will be treated as continuous but he shall not be entitled to any wages, bonus etc. for the period under reference. The services however shall be treated as continuous for the purpose of seniority, increment, C.P.F., gratuity, and retrenchment compensation benefits.
4. He will not be paid any arrears arising out of increments.
5. He will accept a transfer at any Project in Gujarat except Ankleshwar Project.
6. He will give a letter of regret for his past conduct and give assurance for good conduct in future.

7. This settlement shall come into force from the date the award is given by the Industrial Tribunal."

I, therefore, make an award as per the settlement the terms of which are reproduced hereinabove. I direct that the Award be submitted to the Central Government.

Ahmedabad.

Sd./- INDRAJIT G. THAKORE,
Presiding Officer.

Date 21st April, 1970.

[No. 25(14)/68-LR.IV.]

S.O. 1855.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the following award of Shri K. Sharan, Regional Labour Commissioner (Central), Asansol and Arbitrator in the industrial dispute between the employers in relation to the management of Proper Kajora Colliery of Messrs. Sri Nimbarak Proper Kajora Coal Company (Private) Limited, Post Office Kajoragram, District Burdwan and their workmen, which was received by the Central Government on the 2nd May, 1970.

BEFORE SHRI K. SHARAN, REGIONAL LABOUR COMMISSIONER (C)
ASANSOL & ARBITRATOR

PRESENT:

Shri K. Sharan, Regional Labour Commissioner (C), Asansol.

PARTIES:

Employers in relation to Proper Kajora Colliery of Messrs. Sri Nimbarak Proper Kajora Coal Co. (P) Ltd., P.O. Kajoragram, Dist. Burdwan.

Vrs.

Their workmen represented by the West Bengal Khan Mazdoor Sangh (U.T.U.C.), P.O. Kajoragram, Dist. Burdwan.

APPEARANCES:

For Employers.—(1) Shri S. R. Bhowalka, Director, M/s. Sri Nimbarak Proper Kajora Coal Co. (P) Ltd., P.O. Kajoragram, Dist. Burdwan.

(2) Shri S. S. Gupta, Administrative Officer, M/s. Sri Nimbarak Proper Kajora Coal Co. (P) Ltd.

(3) Shri V. R. Iyer, Manager, Proper Kajora Colliery.

For Workmen.—(1) Shri G. R. Panda, Vice-President, West Bengal Khan Mazdoor Sangh (UTUC), P.O. Kajoragram, Dist. Burdwan.

(2) Shri P. R. Panda, Secretary, West Bengal Khan Mazdoor Sangh (UTUC).

INDUSTRY: Coal.

STATE: West Bengal.

[No. E. 1/173/69.]

Asansol, the 24th April, 1970.

AWARD

The Central Government, having received on the 28th November, 1969 the arbitration agreement dated 16th October, 1969 between the management of Proper Kajora Colliery of M/s. Sri Nimbarak Proper Kajora Coal Co. (P) Ltd., P.O. Kajoragram, Dist. Burdwan (hereinafter referred to as the management) and their workmen represented by the West Bengal Khan Mazdoor Sangh (U.T.U.C.), P.O. Kajoragram, Dist. Burdwan (hereinafter referred to as the union) in pursuance of sub-section (1) of Section 10A of the Industrial Disputes Act, 1947 (14 of 1947) referring the industrial dispute between them, the specific matters in dispute being as detailed below, to my arbitration, and the Central Government being of the opinion that the industrial dispute referred to above existed between the management and their workmen, ordered publication of the said arbitration

agreement in the Gazette of India, Part II, Section 3, sub-section (ii) under its order being No. 8/93/69-LR-II, dated 10/12th December, 1968.

Specific Matters in Dispute:

"Whether the termination of services of S/Shri Atul Bagti, Trammer, Gurupada Bagti, Surface Trammer, Shanker Muchi, Trammer, Gopal Muchi, General Mazdoor and Somru Rajbhar Explosive Carrier from 20th April 1968, 17th April 1968, 17th April 1968, 19th February 1968 and 22nd January, 1968, respectively by the management of Proper Kajora Colliery was justified? If not to what relief are the workmen concerned entitled?

2. The union was requested to submit its written statement under my letter No. E.1/1(7)69, dated 24th October, 1969 endorsing a copy thereof to the management, within ten days from the date of receipt of my letter referred to above. Simultaneously, the management was requested to submit rejoinder to the written statement of the union, if any, received by them within seven days from the date of receipt of the written statement of the union endorsing its copy to the union under registered post with A/D under intimation to me. In spite of my reminder dated 19th November, 1969 the union did not submit written statement. However, the management was again requested under my letter No. E.1/1(7)/69, dated 19th November, 1969 to submit its written statement within ten days from the date of receipt of my letter referred to above, endorsing a copy thereof to the union under registered post with A/D under intimation to me. In the meantime, however, both the management and the union requested for extension of time for submission of their written statement. The request of both the management and the union was acceded to and they were requested to submit their respective written statements so as to reach me latest by 18th December, 1969. While the written statement of the management dated 18th December 1969 was received in this office on 18th December 1969 no written statement was received from the union. The notice bearing No. E.1/1(7)69 dated 27th December 1969 was issued to both the parties calling upon them to attend the hearing in my office on 20th January 1970. On 20th January 1970, neither anybody was present on behalf of the management nor anybody on behalf of the union. The union representative filed a petition dated 19th January 1970 requesting therein to adjourn the hearing on the ground of sickness of the Secretary of the union. Accordingly, the hearing was adjourned to be held in my office on 7th February 1970. On 7th February 1970, the representatives of both the management and the union attended the hearing and requested for adjournment of the hearing on the ground of disturbed labour situation obtaining in this field. The request of the representatives of both the parties was acceded to and with the consent of both the parties the hearing was adjourned to be held in my office on 13th March, 1970. On 13th March 1970 requesting for adjournment of the while the representative of the management was present none was present on behalf of the union. However, the representative of the union filed a petition dated 13th March 1970 requesting for adjournment of the hearing fixed for 13th March 1970 on the ground of 'Adyo Sradha Ceremony' of the father of the Secretary of the union. The representative of the management was not agreeable for adjournment sought for by the union. However, on compassionate ground the representative of the management agreed for adjournment and with the consent of the representative of the management the hearing was adjourned to be held in my office on 10th April 1970. Again on 10th April 1970 the representative of the union failed to attend the hearing and finally with the consent of the representative of the management who was present on 10th April 1970, the hearing was adjourned to be held in my office on 23rd April 1970. On 23rd April 1970, Shri S. R. Bhowalka, Director, Shri V. R. Iyer, Manager and Shri S. S. Gupta, Administrative Officer were present on behalf of the management of Proper Kajora Colliery of M/s. Sri Nimbarak Proper Kajora Coal Co. (P) Ltd., Shri G. R. Panda, Vice-President and P. R. Panda, Secretary, West Bengal Khan Mazdoor Sangh (UTUC), P.O. Kajoragram, Dist. Burdwan were present on behalf of the workmen. On that date the representatives of both the parties filed an agreement dated 23rd April 1970 stating therein that I could give my arbitration award in the instant industrial dispute latest by 31st May, 1970. They also filed a joint petition of compromise dated 23rd April 1970 stating therein that the instant industrial dispute had been amicably settled between them on the terms detailed in the compromise petition dated 23rd April 1970 and that I might accept the terms of settlement incorporated in the joint petition of compromise referred to above and pass my award accordingly. The terms of settlement incorporated in the joint petition of compromise dated 23rd April 1970 were duly verified and brought on record. The terms of the settlement incorporated

in the joint petition of compromise dated 23rd April 1970 appear to me to be fair, reasonable and in the interest of the workmen concerned as well as conducive to harmonious labour management relationship and as such I accept the same. Accordingly, I make my arbitration award in terms of the joint petition of compromise dated 23rd April 1970. The joint petition of compromise is annexed hereto and made part of the Award. It is submitted to the Central Government under Section 10A(4) of the Industrial Disputes Act, 1947.

Sd./- K. SHARAN,
24-4-70.

Regional Labour Commissioner (Central), Asansol & Arbitrator.

**BEFORE SHRI K. SHARAN, REGIONAL LABOUR COMMISSIONER (C)
ASANSOL & ARBITRATOR**

In the matter of an arbitration in an industrial dispute between the management of Proper Kajora Colliery of M/s. Sri Nimbarak Proper Kajora Coal Co. (P) Ltd., P.O. Kajoragram, Dist. Burdwan and their workmen represented by the West Bengal Khan Mazdoor Sangh (UTUC), P.O. Kajoragram, Dist. Burdwan over the termination of services of S/Shri Atul Bagti, Gurupada Bagti, Shanker Muchi, Gopal Muchi and Somru Rajbhar.

PARTIES:

Employers in relation to Proper Kajora Colliery of M/s. Shri Nimbarak Proper Kajora Coal Co. (P) Ltd., P.O. Kajoragram, Dist. Burdwan.
Vs.

Their workmen represented by the West Bengal Khan Mazdoor Sangh (UTUC), P.O. Kajoragram, Dist. Burdwan.

Representing the employers:

- (1) Shri S. R. Bhowalka, Director, M/s. Shri Nimbarak Proper Kajora Coal Co. (P) Ltd., P.O. Kajoragram, Dist. Burdwan.
- (2) Shri V. R. Iyer, Manager, Proper Kajora Colliery.
- (3) Shri S. S. Gupta, Administrative Officer, M/s. Shri Nimbarak Proper Kajora Coal Co. (P) Ltd.

Representing the workmen:

- (1) Shri G. R. Panda, Vice-President, West Bengal Khan Mazdoor Sangh (UTUC), P.O. Kajoragram, Dist. Burdwan.
- (2) Shri P. R. Panda, Secretary, West Bengal Khan Mazdoor Sangh (UTUC).

The representatives of the management and the union submit as under:—

1. That the instant industrial dispute has been mutually discussed between the parties and the same has been amicably settled between them on the following terms:—

- (i) It is agreed that S/Shri Atul Bagti, Gurupada Bagti, Shanker Muchi, Gopal Muchi and Somru Rajbhar shall be provided with time rated jobs at Proper Kajora Colliery on the and from 24th April, 1970 with continuity of service.
- (ii) It is agreed that the workmen named above shall not be entitled to any wages or allowances for the period of their unemployment.
- (iii) It is agreed that the period of unemployment of S/Shri Atul Bagti, Gurupada Bagti, Shanker Muchi, Gopal Muchi and Somru Rajbhar for periods from 20th April 1968 to 24th April 1970, from 17th April 1968 to 23rd April 1970, from 17th April 1968 to 23rd April 1970, from 17th March 1968 to 23rd April 1970 are and from 22nd January 1968 to 23rd April 1970 respectively shall be treated as leave without wages.

2. The representatives of the management and the union submit that the Arbitration may be pleased to accept the terms of settlement and give his award in terms of the settlement referred to above in para 1.

Sd./- S. R. BHOWALKA

Sd./- V. R. IYER.

Sd./- S. S. GUPTA, 23-4-70.

Sd./- G. R. PANDA, 23-4-70.

Sd./- P. R. PANDA, 23-4-70.

Representing the workmen:

Representing the employers:

Dated, the 23rd April, 1970

New Delhi, the 12th May 1970

S.O. 1856.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the following award of the Central Government Industrial Tribunal, Hyderabad in the industrial dispute between the employers in relation to the Singareni Collieries Company Limited, Post Office Kothagudam Collieries (Andhra Pradesh) and their workmen, which was received by the Central Government on the 5th May, 1970.

BEFORE THE INDUSTRIAL TRIBUNAL (CENTRAL) AT HYDERABAD

PRESENT:

Shri Mohammed Najmuddin, M.A., B.L., Chairman, Industrial Tribunal, Andhra Pradesh, Hyderabad.

INDUSTRIAL DISPUTE No. 1 OF 1970

BETWEEN:

Workmen of Singareni Collieries Company Ltd., Belampalli.

AND

Management of Singareni Collieries Company Ltd., Belampalli.

APPEARANCES:

Claimant remained absent.

Shri Shyam Mohan, Personnel Officer, for the Employers.

AWARD

The Government of India in its Ministry of Labour, Employment and Rehabilitation (Department of Labour & Employment) had, by Order No. 7/25/69-LRII dated 9th January, 1970, referred this dispute to me for adjudication. The issue as per Schedule annexed to the Notification is this:—

Whether the demand of the Tandur Coal Mines Labour Union, Belampalli, for confirming Shri A. Thomas, Bank Mazdoor, Shantikhan No. 1 Incline, in Category-IV as Bank Muccadam is justified? If so to what relief he is entitled and from what date?

The Tandur Coal Mines Labour Union, Belampalli, is party to the reference through its President. After the reference was numbered here, notice was sent to the Union calling upon it to file statement of claims. It is only after statement of claims is filed that the employer can be called upon to file counter. The Union did not file statement of claims. Instead, Mr. Shyam Mohan, Personnel Officer, Belampalli, has filed today settlement dated 24th November, 1969 under Section 18(1) of the Industrial Disputes Act. It is signed by Mr. S. Nagiah Reddy who is the President of the Tandur Coal Mines Labour Union. On behalf of the employer it is signed by Mr. M. Vasudevan who is the Deputy General Manager at the Singareni Collieries. The claimant, A. Thomas, also has signed it. Two witnesses have signed it. One is Mr. M. V. Galande, Divisional Personnel Officer at Belampalli. The other is Mr. Avadhani who is Assistant Personnel Officer at Belampalli. I have perused the terms of settlement. By clause 1 the management agreed to promote the claimant as Bank Muccadam in Category IV. I am satisfied that the settlement is fair and equitable between the parties.

2. Award is herewith passed in terms of the Memorandum of Settlement dated 24th November, 1969, copy whereof is appended hereto.

Given under my hand and the seal of the Tribunal, this the 30th day of April, 1970.

(Sd.) Mohammad Najmuddin,
Industrial Tribunal.

Memorandum of Settlement arrived at between the management of Singareni Collieries Company Limited, Belampalli and the workmen represented by the President, Tandur Coalmines Labour Union, Belamapalli during the mutual discussions held on 24th November 1969 at Belamapalli under Sec. 18(1) of I.D. Act.

Name of the parties:

Representing management

Shri M. VASUDEVAN,
Dy. General Manager,
The S.C. Co. Ltd.,
Belampalli.

Representing workman

Shri S. NAGIAH REDDY,
President, T.C.M.L. Union,
Belampalli.

Short recital of the case.

The President, T.C.M.L. Union raised a dispute in his letter No. B/27/69, dated 5th May 1969 regarding the promotion of Shri A. Thomas Bank Mazdoor, Shanti Khani as Bank Mocaddam at Shanti Khani. The dispute was taken up for conciliation on 21st August 1969 at Hyderabad by A.L.C. (C), Hyderabad. During the conciliation, the representative of the workman stated that Mr. A. Thomas was acting continuously as Bank Mocaddam and so he should be promoted to that post with retrospective effect. The management has stated that Mr. Thomas was acting intermittently in place of temporary vacancies caused by temporary absence of the permanent mocaddam and he was paid officiating allowance for the day he acted. Thereafter the A.L.C.(C) has obtained the views of the management and Union and submitted his report to the Secretary to the Government of India, and Ministry of Labour, Employment and Rehabilitation, New Delhi on 4th September, 1969.

However, the President, T.C.M.L. Union pursued the matter with the management and requested the management to consider the case of Mr. A. Thomas in the vacancy of one Bank Mocaddam who opted to go underground as tyndal. After further discussions, the parties have arrived at the following amicable settlement.

Terms of Settlement

1. The management agrees to promote Mr. A. Thomas, Bank Mazdoor, Category III, as Bank mocaddam, Category IV w.e.f. 26th November 1969 in the vacancy caused due to transfer of one of the Bank Mocaddam as tyndal.

2. As the party was already paid officiating allowance whenever he acted as Bank Mocaddam, there will be no payment of arrears and the Union will not press the issue for any increments in the new Category.

3. This agreement settles the dispute raised by the Union in their letter dated 5th May 1969 fully and finally.

4. The parties agree to send the copies of the settlement to all authorities concerned as stipulated in Rule 58(4) of I.D. (C) Rules.

Signatures of Parties

On behalf of management
(Sd.) M. VASUDEVAN

On behalf of workman
(Sd.) S. NAGAI AH REDDY..
(Sd.) A. THOMAS

Witnesses:

(Sd.) M. V. GALANDE,
(Sd.) J. S. AVADHANI

Belampalli, 24th November, 1969.

(Sd.) MOHAMMAD NAJMUDDIN,
Industrial Tribunal.

[No. 7/25/69-LR.II.]

ORDERS

New Delhi, the 2nd May 1970

S.O. 1857.—Whereas the Central Government is of opinion that an industrial dispute exists between the employers in relation to the management of Adjai Second Colliery of Messrs Bengal Coal Company Limited, Post Office Charanpur, District Burdwan and their workmen in respect of the matters specified in the Schedule hereto annexed;

And whereas the Central Government considers it desirable to refer the said dispute for adjudication;

Now, therefore, in exercise of the powers conferred by clause (d) of sub-section (1) of section 10 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby refers the said dispute for adjudication to the Central Government Industrial Tribunal, Calcutta, constituted under section 7A of the said Act.

SCHEDULE

"Whether the management of Adjai Second Colliery of Messrs Bengal Coal Company Limited, Post Office Charanpur, District Burdwan was justified in laying off a number of workmen on different dates during the period from the 30th December, 1969 to the 15th January, 1970 without paying any compensation to them? If not, to what relief are the workmen concerned entitled to?"

[No. 1/15/70-LR.II.]

New Delhi, the 12th May 1970

S.O. 1858.—Whereas an industrial dispute exists between the employers in relation to the National Coal Development Corporation Limited, Darbhanga House, Ranchi and their workmen represented by the State Collieries Mazdoor Union, Post Office Bermo, District Hazaribagh;

And whereas the said employers and their workmen have by a written agreement, in pursuance of the provisions of sub-section (1) of section 10A of the Industrial Disputes Act, 1947 (14 of 1947), referred the said dispute to arbitration by the person specified therein, and a copy of the said arbitration agreement has been forwarded to the Central Government;

Now, therefore, in pursuance of the provisions of sub-section (3) of section 10A of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the said arbitration agreement.

REGD. AD

IN TRIPLICATE

FORM C

[Under Rule 7 of the Industrial Disputes (Central) Rules]

AGREEMENT

(Under Section 10A of the Industrial Disputes Act, 1947)

NAME OF PARTIES:

Representing Employers—Sri I. B. Sanyal Chief Personnel Officer National Coal Development Corpon. Ltd., Darbhanga House, Ranchi.

Representing Workmen.—1. Sri Mithilesh Kumar Sinha, General Secretary State Collieries Mazdoor Union, P. O. Bermo, Dist. Hazaribagh, Bihar.

2. Sri N. G. Chakraborty Vice-President State Collieries Mazdoor Union P. O. Bermo, Dist. Hazaribagh, Bihar.

It is hereby agreed between the parties to refer the following industrial dispute to the arbitration of Sri O. Vankatachalam, Chief Labour Commissioner (C), Department of Labour & Employment, Ministry of Labour, Employment & Rehabilitation, New Delhi:—

(i) Specific matters in dispute.—(i) Whether the claim of the Unions that the workmen of NCDC are entitled to get increment in their Wage Board scale of pay w.e.f. 1st October, 1967 is justified; if so, in what way the increment agreed to by the management with effect from 15th August, 1969 should be adjusted, or

(ii) Whether the workmen are entitled to the benefit of increment in their basic wages accruing upto 14th August 1967 for the purpose of computation of their wages in the Wage Board scale w.e.f. 15th August 1967, if so, in what way the increment agreed to by the management with effect from 15th August 1969 should be adjusted.

(ii) Details of the parties to the dispute including the name and address of establishment or undertaking involved.—(i) Employers: National Coal Development Corporation Ltd., Darbhanga House, Ranchi (in respect of their establishments in B&K region).

(ii) Workmen as represented by: State Collieries Mazdoor Union P. O. Bermo, Dist. Hazaribagh, Bihar.

(iii) Name of the Union, if any, representing workmen in question.—Details given against column (ii) above.

(iv) Total No. of workmen employed in the undertaking affected.—66,000 approximately.

(v) Estimated No. of workmen affected or likely to be affected by the dispute.—9,000 approximately.

We further agree that the decision of the Arbitrator shall be binding on us.

The Arbitrator shall make his award within a period of 6 months from the date on which the agreement is published in the Gazette of India or within such

further time as is extended by mutual agreement between us in writing. In case the award is not made within the period mentioned above, the reference to arbitration shall stand automatically cancelled and we shall be free to negotiate for fresh arbitration.

I. B. SANYAL Chief Personnel Officer,
National Coal Development Corpn. Ltd.,
Darbhanga House, Ranchi.

MITHILESH KUMAR SINHA, General Secretary,
State Collieries Mazdoor Union,
P.O. Bermo, Dist. Hazaribagh, Bihar.

Signature of Parties.

(N. G. Chakraborty),
Vice-President, State Collieries Mazdoor Union,
P.O. Bermo, Dist. Hazaribagh, Bihar.

Witnesses:

1. R. L. KURALIA.
2. P. VENUGOPALAN.

[No. 8/62/70-LRII.]

S.O. 1859.—Whereas an industrial dispute exists between the employers in relation to the National Coal Development Corporation Limited, Darbhanga House, Ranchi and their workmen represented by the State Collieries Mazdoor Union, Post Office Bermo, District Hazaribagh.

And whereas the said employers and their workmen have by a written agreement, in pursuance of the provisions of sub-section (1) of section 10A of the Industrial Disputes Act (14 of 1947), referred the said dispute to arbitration by the person specified therein, and a copy of the said arbitration agreement has been forwarded to the Central Government;

Now, therefore, in pursuance of the provisions of sub-section (3) of section 10A of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the said arbitration agreement.

REGD. AD

IN TRIPLICATE

FORM C

[Under Rule 7 of Industrial Disputes (Central) Rules] AGREEMENT

(Under Sec. 10A of the Industrial Disputes Act, 1947)

NAME OF PARTIES

Representing Employers.—Sri I. B. Sanyal Chief Personnel Officer National Coal Development Corpn. Ltd., Darbhanga House, Ranchi.

Representing Workmen.—1. Sri Mithilesh Kumar Sinha General Secretary State Collieries Mazdoor Union P. O. Dist. Hazaribagh, Bihar.

2. Sri N. G. Chakraborty Vice-President State Collieries Mazdoor Union P. O. Bermo, Dist. Hazaribagh Bihar.

It is hereby agreed between the parties to refer the following industrial dispute to the arbitration of Sri O. Venkatachalam, Chief Labour Commissioner (Central), Department of Labour & Employment, Ministry of Labour, Employment and Rehabilitation, New Delhi:—

- (i) Specific matters in dispute.—Whether monthly rated employees of NCDC appointed prior to 15th August 1967 are entitled to payment of train fare as per accepted recommendation of the Coal Wage Board or according to the service conditions applicable to them. If so, how will the existing Leave Travel Concession enjoyed by such employees be treated.
- (ii) Details of the parties to the dispute including the name and address of establishment or undertaking involved.—(i) Employers: National Coal Development Corporation Limited, Darbhanga House Ranchi (in respect of their establishments in B&K region).
(ii) Workmen as represented by: State Collieries Mazdoor Union, P. O. Bermo Dist. Hazaribagh, Bihar.
- (iii) Name of the Union, if any, representing the workmen in question.—Details given against column (ii) above.
- (iv) Total No. of workmen employed in the undertaking affected.—66,000 approximately.
- (v) Estimated No. of workmen affected or likely to be affected by the dispute.—2,000 approximately.

We further agree that the decision of the Arbitrator shall be binding on us

The Arbitrator shall make his award within a period of 6 months from the date on which the agreement is published in the Gazette of India or within such further time as is extended by mutual agreement between us in writing. In case

the award is not made within the period mentioned above, the reference to arbitration shall stand automatically canceled and we shall be free to negotiate for fresh arbitration.

I. B. SANYAL Chief Personnel Officer,
National Coal Development Corpn. Ltd.,
Darbhanga House, Ranchi.

MITHILESH KUMAR SINHA, General Secretary,
State Collieries Mazdoor Union,
P.O. Bermo, Dist. Hazaribagh, Bihar.
N. G. Chakraborty, Vice-President,
State Collieries Mazdoor Union,
P.O. Bermo, Distt. Hazaribagh, Bihar.

Witnesses:

1. R. L. Kuralia.
2. P. Venugopalan

Signature of Parties.
[No. 8/63/70-LRII.]

S.O. 1860.—Whereas an industrial dispute exists between the employers in relation to the National Coal Development Corporation Limited, Darbhanga House, Ranchi and their workmen represented by the State Collieries Mazdoor Union, Post Office Bermo, District Hazaribagh;

And whereas the said employers and their workmen have by a written agreement, in pursuance of the provisions of sub-section (1) of section 10A of the Industrial Disputes Act, 1947 (14 of 1947), referred the said dispute to arbitration by the person specified therein, and a copy of the said arbitration agreement has been forwarded to the Central Government;

Now, therefore, in pursuance of the provisions of sub-section (3) of section 10A of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the said arbitration agreement.

REGD. AD

IN TRIPLICATE

FORM C

[Under Rule 7 of Industrial Disputes (Central) Rules]

AGREEMENT

(Under Sec. 10A of the Industrial Disputes Act, 1947)

NAME OF PARTIES

Representing Employers.—Sri I. B. Sanyal Chief Personnel Officer National Coal Development Corporation Ltd., Darbhanga House, Ranchi.

Representing Workmen.—1. Sri Mithilesh Kumar Sinha General Secretary State Collieries Mazdoor Union P.O. Bermo, Dist. Hazaribagh, Bihar.

2. Sri N. G. Chakraborty Vice President State Collieries Mazdoor Union P. O. Bermo, Dist. Hazaribagh, Bihar.

It is hereby agreed between the parties to refer the following industrial dispute to the arbitration of Sri O. Venkatachalam, Chief Labour Commissioner (Central) Department of Labour and Employment Ministry of Labour, Employment and Rehabilitation, New Delhi:—

(i) Specific matters in dispute.—Whether the monthly rated employees of NCDC other than those in the scale of Rs. 140—178 Rs. 146—184 and Rs. 165—230 should be treated on the same basis as daily rated employees in the matter of rates of payment of house rent after implementation of Wage Board recommendations.

(ii) Details of the parties to the dispute including the name and address of establishment or undertaking involved.—(i) Employers: National Coal Development Corporation Ltd., Darbhanga House Ranchi (in respect of their establishments in B&K region).

(ii) Workmen as represented by: State Collieries Mazdoor Union P. O. Bermo, Dist. Hazaribagh, Bihar.

(iii) Name of the Union, if any, representing the workmen in question.—Details given against column (ii) above.

(iv) Total No. of workmen employed in the undertaking affected.—66,000 approximately.

(v) Estimated No. of workmen affected or likely to be affected by the dispute.—1,000 approximately

We further agree that the decision of the Arbitrator shall be binding on us.

The Arbitrator shall make his award within a period of 6 months from the date on which the agreement is published in the Gazette of India or within such further time as is extended by mutual agreement between us in writing. In case the

award is not made within the period mentioned above, the reference to arbitration shall stand automatically cancelled and we shall be free to negotiate for fresh arbitration.

I. B. SANYAL, Chief Personnel Officer,
National Coal Development Corpn. Ltd.,
Darbhanga House, Ranchi.

MITHILESH KUMAR SINHA, General Secretary,
State Collieries Mazdoor Union,
P.O. Bermo, Dist. Hazaribagh, Bihar.
N. G. CHAKRABORTY, Vice-President,
State Collieries Mazdoor Union,
P.O. Bermo, Dist. Hazaribagh, Bihar.

Signature of Parties.

Witnesses:

1. R. L. Kuralia.
2. P. Venugopalan.

[No. 8/61/70-LRII.]

ORDERS

New Delhi, the 12th May 1970

S.O. 1861.—Whereas the Central Government is of opinion that an industrial dispute exists between the employers in relation to the Messrs Bikaner Gypsum Limited Bikaner and their workmen in respect of the matters specified in the Schedule hereto annexed;

And, whereas the Central Government considers it desirable to refer the said dispute for adjudication;

Now, therefore, in exercise of the powers conferred by section 7A and clause (d) of sub-section (1) of section 10 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby constitutes an Industrial Tribunal with Shri Gopal Narain Sharma, as Presiding Officer with headquarters at Jaipur and refers the said dispute for adjudication to the said Industrial Tribunal.

SCHEDULE

Whether the action of the management of Bikaner Gypsum Limited of transferring Shri Kaloo Khan, Driver from Bikaner office to Suratgarh on the 8th December, 1969 and thereby effecting the change in service conditions was justified? If not, to what relief is he entitled?

[No. 30(3)/70-LR-IV.]

S.O. 1862.—Whereas the Central Government is of opinion that an industrial dispute exists between the employers in relation to the management of Messrs Orissa Cement Limited, Rajgangpur and their workmen in respect of the matters specified in the Schedule hereto annexed;

And, whereas the Central Government considers it desirable to refer the said dispute for adjudication;

Now, therefore, in exercise of the powers conferred by section 7A and clause (d) of sub-section (1) of section 10 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby constitutes an Industrial Tribunal with Shri U. N. Mishra, as Presiding Officer, Additional Industrial Tribunal, with headquarters at Bhubaneswar and refers the said dispute for adjudication to the Industrial Tribunal.

SCHEDULE

"Whether the action of the management of Lanjiberna Limestone Quarry of Messrs. Orissa Cement Limited in discharging Shri Baleshwar Singh, a Mazdoor, with effect from the 3rd May, 1967, without payment of retrenchment compensation was justified? If not, to what relief is the workmen entitled?"

[No. 12(7)/70-LR-IV.]

New Delhi, the 13th May 1970

S.O. 1863.—Whereas the employers in relation to the management of National Coal Development Corporation Limited, Darbhanga House, Ranchi and their workmen represented by State Collieries Mazdoor Union, Post Office Bermo (Hazaribagh), have jointly applied to the Central Government under sub-section (2) of section 10 of the Industrial Disputes Act, 1947 (14 of 1947), for reference of an industrial dispute that exists between them to an Industrial Tribunal in respect of the matters set forth in the said application and reproduced in the Schedule hereto annexed;

And whereas the Central Government is satisfied that the persons applying represent the majority of each party;

Now, therefore, in exercise of the powers conferred by sub-section (2) of section 10 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby refers the said dispute for adjudication to the Industrial Tribunal. (No. 3) Dhanbad, constituted under section 7A of the said Act.

SCHEDULE

"Whether, in the context of the various orders and instructions issued by the Management of National Coal Development Corporation Limited in connection with the implementation of the recommendations of the Central Wage Board for Coal Industry, as accepted by the Central Government the contention of the State Collieries Mazdoor Union that the management of National Coal Development Corporation had committed an error in applying the said Wage Board recommendations to the category of monthly rated employees whose emoluments at the maximum of Central Pay Commission scale exceeded Rs. 500 a month on 1st October, 1966 is justified. If so, to what relief the workmen concerned are entitled?"

[No. 8/64/70-LR-II.]
P. C. MISRA, Under Secy.

(Department of Labour and Employment)
[Office of the Chief Labour Commissioner (Central)]
ORDER

New Delhi, the 1st May 1970

S.O. 1864.—Whereas an application has been made under section 19(b) of the Payment of Bonus Act, 1965 by Messrs National Buildings Construction Corporation Ltd., New Delhi, (employer) in relation to their establishments mentioned in the Schedule below for further extension of the period for the payment of bonus to their employees for the accounting year ending on 31st March, 1969.

And whereas being satisfied that there are sufficient reasons to extend the time I have, in exercise of the powers conferred on me by the proviso to clause (b) of Section 19 of the said Act read with the notification of the Government of India in the Ministry of Labour and Employment No. WB-20(42)/65 dated the 28th August, 1965, and in partial modification of my order No. BA.6(1)/70-LS.I, dated 25th January, 1970 passed orders on 30th April, 1970 extending the period for payment of the said bonus by the said employer by a total period of six months (i.e., up to 31st May 1970) from the last date for payment of bonus under clause (b) of Section 19 of the Act.

Now this is published for information of the employer and all the employees of the said establishment.

THE SCHEDULE

Name and address of the employer(s)	Establishment(s)
National Buildings Construction Corporation Ltd. 44, Ring Road, Lajpat Nagar III, New Delhi-24.	at different places in India.

[No. BA-6(1)/70-LS-I.]

O. VENKATACHALAM,
Chief Labour Commissioner (Central)

(Department of Rehabilitation)
(Office of the Chief Settlement Commissioner)
New Delhi, the 29th April, 1970

S.O. 1865.—In exercise of the powers conferred on the Chief Settlement Commissioner by sub-section (2) of Section 34 of the Displaced Persons (Compensation & Rehabilitation) Act, 1954 (44 of 1954) (hereinafter referred to as the said Act), he hereby delegates with effect from the 16th April, 1970 to the Regional Settlement Commissioner, Bombay, the following powers of the Chief Settlement Commissioner, namely:—

Powers under Sections 23, 24 and 28 of the said Act.

2. The said powers are to be exercised subject to the condition that the said Regional Settlement Commissioner shall not exercise any of such powers in relation to any matter in which an order has been made by him in his capacity as Regional Settlement Commissioner or revise or review the orders of his predecessor.

[No. 11(1)/Comp. & Prop/68.]

New Delhi, the 5th May 1970

S.O. 1866.—In exercise of the powers conferred on the Chief Settlement Commissioner by Sub-Section (2) of Section 34 of the Displaced Persons (Compensation and Rehabilitation) Act, 1954 (44 of 1954), he hereby delegates to Shri G. C. Mogha, Settlement Commissioner (Appeals), the following powers:—

- (1) Power to hear appeals under Section 23 of the said Act.
- (2) Power to hear revisions under Section 24 of the said Act.

[No. 5(4)/Admn. II/70.]

S.O. 1867.—In exercise of the powers conferred by sub-section (1) of Section 13 of the Evacuee Interest (Separation) Act, 1951 (LXIV of 1951), the Central Government hereby appoints Shri G. C. Mogha, Settlement Commissioner as Appellate Officer for the Union Territories of Delhi and Himachal Pradesh with immediate effect.

[No. 5(4)/Admn. II/70.]

S. K. GANGOPADHYAY,
Joint Secretary-cum-Chief Settlement Commissioner.

(Department of Rehabilitation)

(Office of the Regional Settlement Commissioner)

New Delhi, the 30th April 1970

S.O. 1868.—In exercise of the powers vested in me under Sub-section (2) or Section 24 of the Administration of Evacuee Property Act, 1950 (Act XXXI of 1950) I, Gulab L. Ajwani, Regional Settlement Commissioner, Cum-Custodian of Evacuee Property, Delhi hereby delegate to Shri G. P. Jaggi, Deputy Custodian in my office, powers to hear appeals presented to the Custodian under Sub-Section 24(1)(a) of the A.E.P. Act 1950 against the orders passed by Assistant Custodian, with effect from 16th April, 1970.

This cancels notification of even number dated 7th March, 1970.

[No. F. 29(219)/Admn/RSCD/68.]

GULAB L. AJWANI,
Regional Settlement Commissioner-
cum-Custodian of Evacuee Property.

(Department of Rehabilitation)

(Office of the Chief Settlement Commissioner)

New Delhi, the 2nd May 1970

S.O. 1869.—In exercise of the powers conferred by Sub-section (i) of Section 3 of the Displaced Persons (Compensation and Rehabilitation) Act, 1954 (44 of 1954), the Central Government hereby appoints Shri J. C. Gulati, Asstt. Settlement Commissioner Incharge, U.P., Lucknow, as Settlement Commissioner for the purpose of performing the functions assigned to such officers by or under the said Act with immediate effect.

[No. 6(6)/62 ARG.]

S.O. 1870.—In exercise of the powers conferred by sub-section (1) of Section 6 of the Administration of Evacuee Property Act, 1950 (XXXI of 1950), the Central Government hereby appoints for the States of U.P. and Bihar, Shri M. P. Misra, Settlement Officer in the office of the Chief Settlement Commissioner, New Delhi, as Custodian for the purpose of discharging the duties imposed on Custodian by or under the said Act, with immediate effect.

[No. 6(2)/AGZ/65.]

New Delhi, the 5th May 1970

S.O. 1871.—In exercise of the powers conferred by sub-section (1) of Section 3 of the Displaced Persons (Compensation & Rehabilitation) Act, 1954 (44 of 1954), the Central Government hereby appoints Shri G.C. Mogha, as Settlement Commissioner for the purpose of performing the functions assigned to such officers by or under the said Act with immediate effect.

[No. 5(4)/Admn. II/70.]

JANKI NATH,
Settlement Commissioner (C) & Ex-
Officio Under Secretary